DRAFT
SUBJECT TO BOARD APPROVAL

TOWN OF WASHINGTON
SPECIAL TOWN BOARD MEETING
MINUTES

Tuesday, June 25th, 2013
7:00 p.m.
Gym in the Community Center

1. Call to Order: Chairman Joel Gunnlaugsson called the meeting to order at 7:00 p.m. in the Gym.

2. Pledge of Allegiance. Gunnlaugsson led the meeting with the Pledge of Allegiance.

3. Roll Call by Town Clerk. In addition to Gunnlaugsson, Supervisors Liz Holmes and Randy Sorensen were present. Supervisors Kirby Foss and John Rader were excused. Quorum was present.

4. New Business:

A. Approval of DDBBQ Agreement. Motion by Sorensen, second by Holmes to approve the agreement with the following modifications:

1. Paragraph 3 to read: The event will occur on Saturday, August 24th, 2013 with the set up date on ***Wednesday, August 21st;*** Thursday, August 22nd and Friday, August 23rd, 2013 and clean up date on Sunday, August 25th, 2013.

- As a result of the early event area use, the event site will be secured beginning on Wednesday, August 21st.

2. Section 3 Rental Payment: Paragraph A. to read: The user fee for the designated airport property shall be Six hundred dollars ($600.00), payable to the Town of Washington.

- The sentence *'In lieu of the Six hundred dollars, a per head fee of $1.00 may be charged to the attendees, with the total to be deposited to the Washington Island Airport Fund. If this approach is utilized, the DDBBQ will not be held responsible for the user fee of $600.00.'* will be eliminated from the agreement. The event decided to pay a flat fee of $600.00. Gunnlaugsson stated this approach may be revisited next year.

3. The Agreement will be between the Death's Door Barbeque (DDBBQ) dba Washington Island Chamber of Commerce (WICC). All references in the agreement to the DDBBQ will be shown as DDBBQ/WICC.

4. Section 5, Property Access Limitations: Paragraph C. It was made clear that while the DDBBQ would have keyed access to the Airport Manager's office, the DDBBQ organizers felt they did not want to utilize that part of the agreement.

- The boundaries were also discussed including the permission for access to Todd Waltrip's hangar (#3) and tape line or boundaries to be run on the West side of Airport Road to eliminate parking within the runway approach.

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- Parking will be allowed from the runway approach area to the North end of the Airport alongside of the road however; tape will be installed to prevent pedestrians from entering the active airfield.

The agreement will be amended and signed with the appropriate changes also being noted in the non-aviation approval request to the Bureau of Aeronautics.

B. Approval to pre-pay $3800.00 to Washington Island Chamber of Commerce. Motion by Sorensen, second by Holmes to approve the prepayment of $3800.00. Motion carried unanimously. Prepayment will be contingent upon the WICC submitting receipts.

C. Approval of Harbor Master Plan. Motion by Gunnlaugsson, second by Sorensen to bring the item forward for discussion. After discussion, Motion by Sorensen, second by Gunnlaugsson to accept the provided document as presented from JJR with the following amendments/additions:

- Add reference (Page 22) for *the 'Town to maintain the right to consider for purchase and acquire any land that becomes available within the boundaries of the plan'.*
- Remove the Technical Sheet of Cost Analysis.
- Page 2.4 Change the word *'rebrands'* to *'reaffirms'*.
- Page 4 Add *'additional docking facilities'* after the term *'two marinas'*.
- Page 22 Amend the sentence to read *'at the end of Main Road access only'*.

Motion carried unanimously.

D. Ordinance 2013-05. Creation of Code of Conduct. Motion by Holmes, second by Sorensen to approve Ordinance 2013-05. Motion carried unanimously. The purpose of the addition to the Code of Ordinances is a requirement for procuring federal funding for Town projects.

~Beginning of Ordinance~

Ordinance 2013-05

AN ORDINANCE TO REGULATE GIFTS AND GRATUITIES TO PUBLIC OFFICIALS IN THE TOWN OF WASHINGTON

The Town board of the Town of Washington, Door County, Wisconsin, do ordain as follows:

SECTION 1. Section 105-11 of the Code of Ordinances, Town of Washington, Washington Island, Wisconsin, is hereby created, as follows:

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Sec. 105-11. Gifts and Gratuities.

(a) Prohibitions.

(1) No public employee or official shall receive, either directly or indirectly, any gift, gratuity or anything of value which he is not authorized to receive from any person, if such person:

a. Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official.
b. Conducts operations or activities which are regulated by such employee's employer or the governmental body of a public official.
c. Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

(2) The receipt of any gift, gratuity or anything of value as denoted above is contrary to the public policy of the town.

(3) No employee, officer, official or agent of the town paid or unpaid shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. This includes, but is not limited to, when the employee, officer, official or agent, any member of his immediate family, his partner or an organization which employs, or is about to employ, any of the foregoing, has a financial or other interest in the firm selected for the award.

(4) No employee, officer or agent of the town shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub agreements.

a. Investigation. Upon the sworn complaint of any person alleging facts which, if true, would constitute improper conduct under the provisions of this section, the town chairman shall direct two town supervisors to conduct an investigation of the facts of the complaint. If the investigation indicates there may be a reasonable basis for the complaint justifying further investigation, the town board shall conduct a public hearing in accordance with the common law requirements of due process including written notice, an opportunity to be heard, an opportunity to cross examine witnesses and to present testimony and other evidence in support of the accused's position and an opportunity to be represented by counsel or other representative at the expense of the accused. The town board shall make written findings of fact and issue a written decision concerning the propriety of the conduct of the subject official or employee.

b. Determination. A determination by the town board that an official's or employee's actions constitute improper conduct under the provisions of this section may constitute improper conduct under the provisions of this section may constitute a cause for suspension, removal from office or employment, or other disciplinary action. In the event an employee covered under a collective bargaining agreement is allegedly involved in a violation of the provisions of this section, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of the provisions of this section.

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SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon passage and publication.

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~End of Ordinance~

E. Resolution 2013-14. Petition for Airport improvements. Motion by Holmes, second by Sorensen to approve the Petition for Airport improvements with the change of the listing order of improvements; with item 'd' to be listed as last in importance. Questions from the meeting attendees included:

- Mary Lee Benson - wanted to see a picture of the AWOS (a picture was provided)
- Supervisor Holmes stated the paving of the tie-down area was least important.
- Lou Munao - stated improving the airport was positive for bringing in more tourists. Also questioned the possibility of future improvements and services.

~Beginning of Resolution~

Resolution 2013-14

Petitioning the Secretary of Transportation

For Airport Improvement Aid
By the Town of Washington
Washington Island, Door County, Wisconsin

WHEREAS, the Town of Washington, Door County, Wisconsin hereinafter referred to as the Sponsor, being a municipal Body Corporate of the State of Wisconsin, is authorized by law (sec. 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the Sponsor desires to develop or improve the Washington Island Airport, Door County, Wisconsin,

"PETITION FOR AIRPORT PROJECT"

WHEREAS, airport users have consulted in formulation of the improvements included in this Resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Chapter 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, By the Sponsor that a petition for Federal and (or) State Aid in the following form is hereby approved.:

The petitioner, desiring to sponsor an airport development project with Federal and State Aid or State Aid only, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a general aviation airspace type airport as defined by the Federal Aviation Administration.

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2. The character, extent, and kind of improvements desired under the project are as follows:

   a. Install an AWOS (Automated Weather Observation System)
   b. Install a PAPI (Precision Approach Path Indicatory) on all four approaches.
   c. Asphalt overlay for current parking area and existing taxiway areas.
   d. Update and maintain the approach clearance pertaining to existing trees.
   e. Engineering and blacktop for current sod tie-down area.

3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons; to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor to the Secretary; the Sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary, shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the sponsor; and

WHEREAS, the Sponsor is required by law (sec. 114.32(5), Wis. Stats) to designate the Secretary as its agent to accept, receive, receipt for an disburse any funds granted by the United States under the federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

THEREFORE, BE IT RESOLVED, by the Sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport, and to acquire property or interest in property by purchase, gift, lease, or eminent domain under chapter 32 of the Wisconsin Statutes: and , to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the Sponsor requests that the Secretary provide, per Section 114.33(8)(a) of the Wis. Stats., that the Sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

"AIRPORT OWNER ASSURANCES"

AND BE IT FURTHER RESOLVED, that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Chapter Trans 55, Wisconsin Administrative Code, or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

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AND BE IT FURTHER RESOLVED THAT, Joel Gunnlaugsson, Town Board Chairman is authorized to sign and execute the Agency Agreement and Federal Block Grant Owner Assurances authorized by this Resolution.

RESOLUTION INTRODUCED BY: Joel Gunnlaugsson, Town Board Chairman
Michael Berger, W. I. Airport Committee Chairman

~End of Resolution~

F. Further discussion on summer help/crew rotations. Motion by Holmes, second by Sorensen to table this discussion until more information is gathered. Motion carried unanimously.

5. Adjournment. Motion by Sorensen, second by Holmes to adjourn the meeting. Motion carried unanimously at 8:52 p.m.

Valerie Carpenter, Clerk	Joel Gunnlaugsson, Chairman
Liz Holmes, Supervisor	Randy Sorensen, Supervisor
Excused Kirby Foss, Supervisor	Excused John Rader, Supervisor