

TOWN OF BELGIUM
TOWN BOARD MINUTES
September 6, 2011

Call to Order: Chairman Tom Winker called the Town Board meeting to order at 7:05 p.m.

Present: Supervisors Francis Kleckner and Bill Janeshek. Treasurer Janet Coeur, Zoning Administrator Charlie Parks, John Riordan, Catherine Arnold, Dennis Dimmer, Jeff Coeur, Ron Swihart, Ed Pfister, Rich Howell, Jeff Theil, John & Karen Majerus, Ginger Murphy and one interested person. Carol Pomeday of the Ozaukee Press (7:15)

Minutes: Motion by Janeshek, second by Kleckner, to approve the minutes of the July 5, 2011, meeting; motion carried unanimously.

Building Permits: #17 Richard & Janice Lang, 200 Silver Beach Rd - Addition
#18 Charles & Beverly Hein, 2541 Cty Rd K - Addition
#19 Daryl Maas, 195 Cty Rd D – Pole Shed

Road Update: Sauk Trail needs to be graded – resident complaints.

Transfer Site: Need bigger signage for fees. Need to use receipts for accepting dumping fees for every cash transaction.

Speed Control on Homestead Drive: On August 17th, the Plan Commission recommended posting a speed limit of 25 m.p.h. on Homestead Dr. Bill reported that we need four signs for the limit to be enforced by the Sherriff's Dept.

TOB Ordinance 2011-04: Speed Control on Homestead Drive. Motion by Kleckner, and second by Winker; all voted in favor. Motion carried.

Ward Map 2011: The Clerk distributed Ward Maps and anticipated Supervisory Map.

TOB Resolution 2011-03: Motion to approve ward maps as presented by Janeshek, and second by Kleckner; all voted in favor. Motion carried.

Majerus Holding Tank/Land Use Issue: This issue is on the agenda again to approve the Addendum to Temporary Holding Tank Agreement drawn up by Town Attorney, Michael Herbrand, which specifies the terms of the agreement as follows:

1. If Owners remain compliant with the terms and conditions of this Agreement, and subject to the terms of Paragraph 5 of the Agreement, this Agreement shall exist and remain valid for three (3) years from the date of its issuance, and the existing holding tank may serve the existing recreational vehicle on the property. In the event that Owners violate the terms of this Agreement, the Town of Belgium ("Town") or County of Ozaukee may bring an action to enforce the terms, and may seek all available remedies allowed by law, including, but not limited to, rescission and termination of this agreement. Three (3) years from the date of its issuance, this Agreement shall automatically terminate. This Agreement is not renewable.
2. Upon termination of this Agreement, for any reason, Owners shall, no later than 7 days from termination:
 - a. Either remove the Holding Tank, or connect it to the restroom in the existing shed structure on the property; and

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- b. Terminate and permanently remove the current existing recreational vehicle hook-up on the property; and
- c. Cease the use of a recreational vehicle/mobile home on the property for any type of habitation or dwelling, temporary or permanent. "Dwelling", as that term is used herein, shall be defined as provided in the Town Code of Ordinances.

John & Karen Majerus thought the nonconforming use of a holding tank on their property was resolved after Charlie Parks was instructed by senior members of the Town Board not to pursue the issue. Karen feels that if a Town official made a mistake, the Town should stand behind the mistake and take action to make fixes for the future. They feel the use of the holding tank and the recreational vehicle should be grandfathered and stated they were told by Charlie Parks that it would be grandfathered. Charlie stated the Town did stop pursuing the issue of the holding tank at one point and said the holding tank would be grandfathered, but he did not recall a conversation regarding a resolution of the use of the RV. Francis Kleckner stated he failed to recognize the dwelling was prohibited by ordinance and signed the agreement (June, 2009). Ed Pfister stated the Majerus's were made aware there was a problem with the issuance of the Holding Tank Agreement. Karen Majerus stated she left a phone message for Francis Kleckner regarding questions with the permit but did not hear back from him. Jeff Coeur questioned a change made to the Zoning Ordinance in June 2010 which modified verbiage specifically identifying recreational vehicles. Charlie explained that mobile homes were never an allowable use even though that modification had occurred. There was further conversation regarding variances and the possibility of changing the Zoning Ordinance. Bill Janeshek stated that the Board needs to look at the big picture and allowing this use to go forward is not in the best interest of the Town. Francis agreed that if the Town allows this once, they will have to allow it again. Ed Pfister explained that the Temporary Holding Tank Agreement will permit the Majerus's to use the tank with the RV for three years. After that three year period, if the RV is not hooked up to the tank, there is no violation. The Majerus's do not have a permanent residence. Motion by Janeshek to uphold the Plan Commission's recommendation and enforce the attorney's addendum to a temporary holding tank agreement. Janeshek and Winker voted in favor, Kleckner abstained. Motion carried.

Citizen Input: Jeff Coeur asked about immigrant workers living at the OWLT clubhouse.

Monthly invoices: Invoices were audited and ordered paid.

Adjourn: Meeting adjourned at 8:45 p.m.

Respectfully Submitted
Ginger Murphy, Clerk