

**VILLAGE OF EPHRAIM  
VILLAGE BOARD MEETING MINUTES  
TUESDAY, DECEMBER 10, 2024 – 7:00 P.M.  
9996 WATER STREET- EPHRAIM VILLAGE HALL**



**Action Items:**

**K. Nelson moved, T. Nelson seconded to approve the Closed Session minutes of November 7, 2024, all ayes. Motion carried.**

**K. Nelson moved, Mulliken seconded to approve the Closed Session minutes of November 12, 2024, all ayes. Motion carried.**

**K. Nelson moved, Mulliken seconded to approve the minutes of November 12, 2024, all ayes. Motion carried.**

**K. Nelson moved, Mulliken seconded to approve the consent agenda as presented, all ayes. Motion carried.**

**T. Nelson moved, Meacham seconded to waive the right of first refusal for hangar A-7, all ayes. Motion carried.**

**T. Nelson moved, Meacham seconded to approve the lease for hangar A-7 with Scott Pearson, all ayes. Motion carried.**

**K. Nelson moved, Meacham seconded to approve the short-term loan request from the Ephraim Gibraltar Airport Commission in the amount of fifty-seven thousand dollars (\$57,000) with a contract of understanding to be drafted to include terms of repayment (no interest and repayment in full by year-end 2025) with funds coming from the Airport Capital Reserve assigned fund balance, all ayes. Motion carried.**

**K. Nelson moved, T. Nelson seconded to approve the request for the residential through-the-fence access request at 9624 CTH A, all ayes. Motion carried.**

**Meacham moved, T. Nelson seconded to approve the bids as presented for items currently listed on Wisconsin Surplus (2001 Ford 150 \$3,700.00, 2011 DR Pro XL Leaf Vacuum \$655.00, 2- 1500 Gallon Poly Tanks \$66.50/each, and Lot of 2 Stihl Pole Saws \$155), all ayes. Motion carried.**

**K. Nelson moved, T. Nelson seconded to move forward with applying for a Community Investment Fund Grant "CIF" for construction costs related to the North Ephraim Path Project by the deadline of December 23, all ayes. Motion carried.**

**T. Nelson moved, Meacham seconded to approve Ordinance 06-2024, an amendment to the Short Term Rental Ordinance §12.08 as previously discussed pending review by legal counsel, all ayes. Motion carried.**

**K. Nelson moved, Meacham seconded to establish the Ephraim Village Board as the Broadband Committee, all ayes. Motion carried.**

**Meacham moved, Mulliken seconded to appoint Sophie Nelson to the Green Tier Ad Hoc Committee, T. Nelson abstained. Motion carried.**

**Meacham moved, K. Nelson seconded to enter into a consulting agreement with Death's Door Design and Development, Inc. not to exceed ten (10) hours at a rate of one hundred and fifty dollars (\$150) per hour with funding coming directly from the marinas and moorings budget. If necessary, survey work shall be completed with a total project cost not to exceed two thousand five hundred dollars (\$2,500), all ayes. Motion carried.**

**T. Nelson moved, Meacham seconded to adjourn at 8:15 PM, all ayes. Motion carried.**

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**Present:** Matt Meacham, Carly Mulliken, Ken Nelson, Tim Nelson, and Dr. Michael McCutcheon - President.

**Staff:** Brent Bristol -Village Administrator, and Kim Roberts - Deputy Clerk.

**Guests in person:** Maureen Ossyra (League of Women Voters), Cindy and Bruce Nelson, Maggie Peterman, Scott Pearson, and Charles and Marcia Ellis.

**Guests Online:** Kelsey Stone (EBC), Lane Methner (EBC), Martin Franke, Jeff Drajesk, and Jane Larson.

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1. **Call to Order:** McCutcheon called the meeting to order at 7:00 PM.
2. **Quorum:** A quorum was present for the meeting.
3. **Changes to the agenda:** There were no changes to the agenda.
4. **Visitors' Comments:** There were no comments.
5. **Approval of Previous Minutes:**
  - K. Nelson moved, T. Nelson seconded to approve the Closed Session minutes of November 7, 2024, all ayes.** Motion carried.
  - K. Nelson moved, Mulliken seconded to approve the Closed Session minutes of November 12, 2024, all ayes.** Motion carried.
  - K. Nelson moved, Mulliken seconded to approve the minutes of November 12, 2024, all ayes.** Motion carried.

Mulliken noted that the November 12, 2024, Closed Session minutes required a correction to the day of the week in the header.
6. **President's Comments:** There were no comments.
7. **Consent Agenda:**
  - K. Nelson moved, Mulliken seconded to approve the consent agenda as presented, all ayes.** Motion carried.
8. **Airport:**
  - a. **Discussion and consideration regarding waiving right of first refusal on hangar A-7:**
    - T. Nelson moved, Meacham seconded to waive the right of first refusal for hangar A-7, all ayes.** Motion carried.
  - b. **Discussion and consideration regarding sale of hangar A-7 to Scott Pearson:**
    - T. Nelson moved, Meacham seconded to approve the sale of hangar A-7 to Scott Pearson, all ayes.** Motion carried.
  - c. **Discussion and consideration regarding lease for hangar A-7 with Scott Pearson.**
    - T. Nelson moved, Meacham seconded to approve the lease for hangar A-7 with Scott Pearson, all ayes.** Motion carried.
  - d. **Discussion and consideration regarding the airport commission request for a short-term loan of \$57,000:**

Martin Franke of the Ephraim Gibraltar Airport Commission explained the loan request. He noted that there are many projects on the horizon (land purchases and the construction of five (5) more hangars with lease commitments already in place). Franke noted that he had completed cash flow projections and was concerned that the airport would have a cash flow shortage in 2025. The request is for a short-term loan of fifty-seven thousand dollars (\$57,000) so that the airport has the funds needed if required. The loan would be paid in full by year-end 2025 with no interest.

A discussion was held regarding the airport loan request. K. Nelson suggested that a loan document be prepared to commit to writing the terms of the loan (no interest and to be paid in full by year-end 2025). There was a brief discussion regarding interest. K. Nelson noted that the property was half-owned by the Village, therefore there was no sense in considering interest on the loan. Franke stressed that the projects will generate more money in the long term for the airport. Jeff Drajesk added that the Town of Gibraltar approved the loan and would also be drawing funds from designated airport capital reserve funds.

**K. Nelson moved, Meacham seconded to approve the short-term loan request from the Ephraim Gibraltar Airport Commission in the amount of fifty-seven thousand dollars (\$57,000) with a contract of understanding to be drafted to include terms of repayment (no interest and repayment in full by year-end 2025) with funds coming from the Airport Capital Reserve assigned fund balance, all ayes. Motion carried.**

**e. Discussion and consideration regarding residential through-the-fence access request at 9624 CTH A:**

Jeff Drajesk explained the request for residential through-the-fence access at 9624 CTH A. He will be building a storage building and a taxiway onto the airport property. He reviewed previous precedents, the Town and the Village had to be in agreement, fees, and the twenty (20) year agreement. He stressed that there would be no cost to the airport, he would be responsible for maintenance, and did not see any further risk in liability with access as a public government-funded airport.

**K. Nelson moved, T. Nelson seconded to approve the request for the residential through-the-fence access request at 9624 CTH A, all ayes. Motion carried.**

**9. Administration:**

**a. Presentation of 2024 Green Tier Ad-Hoc Committee Report:**

Cindy Nelson, Chair of the Village of Ephraim Green Tier Ad Hoc Committee presented the 2024 report. C. Nelson reviewed the committee members, the Green Tier mission, goals with maintaining the Green Tier Legacy Status with the Wisconsin Department of Natural Resources "DNR", and accomplishments to date.

C. Nelson reviewed goals that after research was completed better solutions were found, the benefits of being a member of the Door County Green Tier Consortium, and the challenges the Green Tier Committee faces. She went on to review the goals of the Green Tier Committee and the 7Rs of recycling. In conclusion, C. Nelson discussed the future of the Green Tier Ad Hoc Committee.

A discussion was held regarding how the Green Tier Ad Hoc Committee should continue into the future. McCutcheon thanked the committee for their work. He stressed that the committee had accomplished a great deal as an Ad Hoc Committee and could continue that way. He expressed concern that in time, the Green Tier Committee will be told what to do by the DNR. C. Nelson explained that we will always be able to do what we want but we might earn fewer points on the scorecard. Meacham did not see the need for Green Tier to be a standing committee; it works well as it is. T. Nelson agreed that Green Tier breaks the Ad Hoc rule because they are typically temporary with a singular focus but didn't want to see another committee because the current structure works well. Mulliken felt Green Tier was important and wanted to understand the situation more and what it means to support the committee's mission. K. Nelson also agreed that the committee was not an Ad Hoc Committee due to its lack of singular focus but also felt it was not a standing committee due to its larger reach in comparison to other committees. He suggested considering alternatives such as an Advisory Committee in Chapter 1 of the Ephraim Code of Ordinances and working on a small budget for annual events. C. Nelson explained that she didn't expect an answer this evening but hoped the discussion would continue. McCutcheon noted that the Board will continue to look at the options that would be best for the committee's functionality and ability to continue to benefit the community.

**b. Discussion and consideration regarding approval of sale item currently listed on Wisconsin Surplus:**

Bristol reviewed the following sale items that were currently listed on Wisconsin Surplus and their closing bids for approval by the Village Board:

- 2001 Ford 150 \$3,700.00
- 2011 DR Pro XL Leaf Vacuum \$655.00

- 2-1500 Gallon Poly Tanks \$66.50/each
- Lot of 2 Stihl Pole Saws \$155

**Meacham moved, T. Nelson seconded to approve the bids as presented for items currently listed on Wisconsin Surplus (2001 Ford 150 \$3,700.00, 2011 DR Pro XL Leaf Vacuum \$655.00, 2-1500 Gallon Poly Tanks \$66.50/each, and Lot of 2 Stihl Pole Saws \$155), all ayes.** Motion carried.

**c. Update regarding North Path Project:**

K. Nelson provided an update on the North End Path Project. He explained that AECOM, WisDOT, Bristol, and himself would be meeting tomorrow. He spoke about the advancement of the project with detailed preliminary plans, easements, and construction targeted for the Spring of 2025. He noted the next step is WisDOT signoff.

**d. Discussion and consideration regarding CIF grant submittal for North Path:**

A discussion was held regarding the Village’s intention to submit a Community Investment Fund “CIF” grant application for construction costs for the North Ephraim Path Project. Bristol noted that construction cost estimates are due shortly for the project in which case we can work towards the 12/23 deadline for the CIF grant.

**K. Nelson moved, T. Nelson seconded to move forward with applying for a Community Investment Fund Grant “CIF” for construction costs related to the North Ephraim Path Project by the deadline of December 23, all ayes.** Motion carried.

**e. Discussion and consideration regarding Ordinance 06-2024, Amendment to the Short Term Rental Ordinance:**

Bristol reviewed the sections to be amended in Chapter 12 of the Ephraim Code of Ordinances.

- ***New Definition-*** (h) Emergency. Any condition or use of an STR, that, in the discretion of the Village Administrator, Sheriff’s Department, or Fire Chief, causes or is likely to cause risk of damage to persons or property, a violation of law, or a breach of the peace.
- 12.08 (2)(e)(i) amended to read, “The following items must always be posted in a conspicuous area within the property.”
- 12.08(2)(d)(ii) amended to read, “The Owner or Designated Agent must reside within 100 miles of the licensed STR.”
- ***New Section: 12.08(5) - SOURCE.*** This section was drafted to provide for licensing of STRs as provided by Wis. Stats § 66.0104 and is intended to be interpreted in a manner consistent with that enabling provision.
- ***New Section: 12.08(6) - SEVERABILITY.*** If any portion of this section is ruled by a court of competent jurisdiction to be invalid or unenforceable, the remaining portion of this section shall continue to be in full force and effect.

**T. Nelson moved, Meacham seconded to approve Ordinance 06-2024, an amendment to the Short Term Rental Ordinance §12.08 as previously discussed pending review by legal counsel, all ayes.** Motion carried.

**f. Discussion and consideration regarding establishing the Village Board as Village Broadband Committee:**

Bristol reviewed the information in his administrator report regarding establishing the Village Board as the Village Broadband Committee. He explained that this was a housekeeping item brought to his attention by the County. There are county grant monies available should the Village ever pursue fiber to every home. To keep eligibility available, the Board needs to formalize the formation of the Broadband Committee by motion. There is no commitment to bring fiber but the establishment of the committee leaves the door open for future discussions.

**K. Nelson moved, Meacham seconded to establish the Ephraim Village Board as the Broadband Committee, all ayes.** Motion carried.

Bristol noted that there is more discussion to come regarding broadband. He made an offer to the community at large if anyone had expertise with broadband and wanted to offer their technical expertise, it would be greatly valued. Those interested should reach out to the Village office to get in touch with Bristol.

**g. Discussion and consideration regarding committee appointments:**

**Meacham moved, Mulliken seconded to appoint Sophie Nelson to the Green Tier Ad Hoc Committee, T. Nelson abstained.** Motion carried.

**10. Marina:**

**a. Discussion and consideration regarding Anderson Dock breakwater design work:**

T. Nelson provided background regarding the Anderson Dock breakwater. It was constructed in 2005 to solve issues with rough water and exposure to maintain a stable harbor. The project was limited by property owners' riparian rights and their lack of desire to have any structure invading those rights to the south and shallow water with hard bedrock that would have been extremely difficult to break up. There was a desire to do more but limitations stood in the way.

Currently, there is a lot of wave action to the detriment of the boats and piers from the prevailing southwest winds. The best boating days end up being the most challenging, often dangerous, days to enter or exit the marina and get on your boat from the pier.

There is an opportunity to revisit the breakwater with the owners to the south open to discuss their riparian rights and Kahr is willing to consult to provide ideas for potential solutions. Nelson proposed a consulting contract with Kahr for ten (10) hours at a rate of one hundred and fifty dollars (\$150) an hour with survey work as an additional cost if required. He stressed that the Marinas and Moorings Committee did recommend the consultation work, however it was not unanimous.

**Meacham moved, K. Nelson seconded to enter into a consulting agreement with Death's Door Design and Development, Inc. not to exceed ten (10) hours at a rate of one hundred and fifty dollars (\$150) per hour with funding coming directly from the marinas and moorings budget. If necessary, survey work shall be completed with a total project cost not to exceed two thousand five hundred dollars (\$2,500), all ayes.** Motion carried.

**11. Committee Minutes for review:** There were no comments.

**12. Visitors' Comments:**

Maggie Peterman inquired about the number of hangars at the airport, and if there was a maximum number that could be constructed.

McCutcheon said there were approximately forty (40) to forty-two (42) hangars currently and to his knowledge there were no maximums.

**13. New Business for the Next Meeting:** No items were noted for new business for the next meeting.

**14. Adjournment:**

**T. Nelson moved, Meacham seconded to adjourn at 8:15 PM, all ayes.** Motion carried.

*Recorded by,*

*Kim Roberts – Deputy Clerk*