

JOINT MEETING
TOWN OF COTTAGE GROVE BOARD OF SUPERVISORS
VILLAGE OF COTTAGE GROVE BOARD OF TRUSTEES
JANUARY 3, 2013

1. Roll Call and Meeting Properly Posted:
 - A. Notice of the meeting was properly posted in the Town. Town Chair Kris Hampton and Town Supervisors Mike Fonger, Steve Anders, Mike Kindschi and Mike DuPlayee were present.
 - B. Notice of the meeting was properly posted in the Village. Village President Diane Wiedenbeck and Trustees Ed Lemay, Harvey Potter, Jennifer Pickel, and Jack Henrich were present. Ken Dahl arrived at 6:35 P.M., and Micah Zielke was absent and excused.
2. Call to order:
 - A. Hampton called the Town Board to order at 6:30 P.M.
 - B. Wiedenbeck called the Village Board to order at 6:30 P.M.
3. Public Concerns: Public's opportunity to speak to Board Members about any subject that is not a specific agenda item: Wiedenbeck said that the Village will be appointing their second member to the DGEMS Commission at their second meeting in January, which will be after the January DGEMS Commission meeting.
4. Discuss/Consider approval of minutes from the December 6, 2012 meeting: **MOTION** by Pickel/DuPlayee to approve the December 16, 2012 minutes with corrections under item 7. b. i. **MOTION CARRIED 9-0-1** (Kindschi abstained).
5. Discuss and consider next steps for the Joint Merger Study Committee:
(Dahl arrived)
 - A. Discuss and consider a new Joint Merger Resolution: Hampton said that the Town has no need for a resolution since the Town Board has already exercised its authority under TCG Ord. Section 01.03 to designate appropriate committees, including joint committees between the Town and Village, by appointing members to a Merger Study Committee and giving them direction. He suggested that the Village do the same, and the two committees could then meet jointly, just like the Town and Village Board do. Village Board members wondered what was different now compared to when the Joint Merger Study Committee was originally formed by resolution in 2011, and indicated that they felt quite strongly that there should be a resolution, that it would provide a united front to the community. There was also discussion about funding of the Merger Study. Town Board members thought that the committee should use 2013 to do preliminary work on their own and then come to the boards in the Fall with their request for funds needed in 2014 for outside advice. One of the areas mentioned for study by the committee in 2013 was zoning, and Anders mentioned that the work done by the ETZ committee several years ago may be of use for this purpose. Village Board members felt that there may be a need for outside help sooner than 2014, and also indicated that having a memorandum of understanding would be a good faith effort toward easing trust issues between the municipalities. Village Board members indicated they would need to discuss the topic further amongst themselves, in light of the position taken by the Town Board tonight, and no action was taken.
 - B. Discuss and consider a Memorandum of Understanding: **MOTION** by Pickel/Fonger to table. Despite the motion, there was brief discussion with Hampton saying that under the proposed Memorandum of Understanding, the Town would have no way of know how much the Village would bill them for. Wiedenbeck said the document is a draft and the Village is looking for Town input. The motion was called and **MOTION CARRIED 11-0**.

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6. Discussion/Update on Law Enforcement Agreement: Henrich began by stating that the revisions to the Law Enforcement Agreement are patterned after the recently adopted Deer-Grove EMS Agreement that the municipalities put so much effort into in 2012. Overall the Boards felt good about the draft agreement, but the following items were discussed:

Hampton said that the language regarding the Police Commission cannot be stricken as suggested in the current draft because without it, the Town does not need a Police Commission. However, discussion recalled that the Police Commission was originally formed by resolution, so the language in the Law Enforcement Agreement could possibly be stricken or at least reduced to simply reference the resolution.

Hampton also said that the Town Attorney has advised that Section 6. regarding Dispute Resolution does not clearly specify which types of disputes would be allowed to go to arbitration, and is not beneficial to the Town. Hampton would like to see the entire Section 6. removed, but there was also discussion of tightening up the parameters of what types of items would be subject to the dispute resolution section. It was noted that the dispute resolution section may be more relevant in the DGEMS Agreement which includes three municipalities than it is in the Law Enforcement Agreement between just the two parties.

The date that the Village must invoice the Town by for prior month's bills was discussed since the Village has historically had difficulty meeting the 20th of the month deadline. The 25th was suggested since it would always fall after the Village Board's second meeting of the month.

7. Update on Police Department billing to the Town: The Town still has not received the November billing. Wiedenbeck said the November bill will be to the Town by January 9th, and the December billing is expected to be ready by the January 20th deadline.
8. Items for next agenda and meeting date: The next meeting will be on Thursday, February 7th at the Village Hall. All of tonight's agenda items will be repeated for that meeting.
9. Adjournment:
 - A. **MOTION** by Pickel/Potter to adjourn the Village Board. **MOTION CARRIED 6-0.**
 - B. **MOTION** by DuPlayee/Kindschi to adjourn the Town Board. **MOTION CARRIED 5-0.**

The meeting ended at 7:34 P.M.

Submitted by: Kim Banigan, Town Clerk
Approved 2-7-2013