

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 3, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Jeff Smith.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the Town Board meeting held on July 20, 2015 as printed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23823-23861 as presented, including voided checks #23837, 23845, 23852. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of July per diems as presented, and payment of \$1,634.00 to Viken Inspection Agency, LLC for July building permits. **MOTION CARRIED 4-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations:
 - 1. Kent J. Staudt, applicant/owner, 4672 Vilas Road, parcel 0711-061-9110-9: seeking rezone of 1.57 acres from R-2 to A-2(1) with CUP for seasonal storage of recreational equipment as per DCCO 10.126(3)(r): Mr. Staudt stated that he wished to appeal the Plan Commission's decision to deny his rezone to A-2, however he did not wish to pursue the CUP for storage of RVs. He said that two of the campers are already gone, one will be gone next week, and he is buying the other one. Anders said the rezone could not occur because our land use plan shows it as existing residential surrounded by planned medium density residential (even though current use of surrounding area is all Ag). Thoughts were that the County would not approve even if the Town does since it does not fit into our future land use plan. Discussion revealed that the main reason Staudt wants to rezone to A-2 is so there can be no complaints or citations for having farm machinery on his R-2 lot since he rents the farm land around him. The board thought he should be able to put up an accessory building under his current R-2 zoning to put the tractor etc. in and then it will not be a problem. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to deny the rezone to A-2 with a CUP for seasonal storage of recreational equipment because it conflicts with the Town's master plan. **MOTION CARRIED 4-0.**
- B. Discuss/Consider approval of the use of Cedar Knolls park for pee-wee football practice during September and October of 2015, and waiving of the park reservation fee: Discussion was that this use of Cedar Knolls park has taken place every fall for several years without incident or complaint. **MOTION** by DuPlayee/Williams to approve the use of Cedar Knolls park for pee-wee football practice during September and October of 2015, and waive the park reservation fee due to low impact on the Town. **MOTION CARRIED 4-0.**
- C. Discuss/Consider approval of Draft Intergovernmental Agreement for an Adaptive Management Plan for the Yahara Watershed: It was noted that this is just a draft, and makes no mention of

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cost. Stormwater management consultant Chuck Nahn recommended to Hampton that the Town would need this to get TMDL's down as required by our stormwater permit. **MOTION** by DuPlayee/Williams to have Atty. Connie Anderson give it a light review and send her comments to Dave Taylor. **MOTION CARRIED 4-0.**

- D. Discuss/Consider adoption of a Resolution designating agents and their powers in regards to a certificate of deposit with the Bank of Sun Prairie: Some of the powers granted were changed during discussion, basically giving only the Treasurer and Clerk powers related to account administration, requiring 3 signatures and designating 4 endorsers. **MOTION** by Anders/DuPlayee to approve the resolution as amended. **MOTION CARRIED 4-0.** This will be numbered as Town Board Resolution 2015-05.
- E. Discuss/Consider approval of a change order to the Town Hall parking lot repaving project: Smith reported that after the old blacktop was removed from the parking lot, it was discovered that the existing base is not adequate. Wolf Paving provided a quote of \$7,820.00 to undercut 18", and Smith said there would be an additional expense of around \$5,000 for gravel to fill it back up. Wolf Paving quoted a cost of \$4,300 for a Geo Grid to be placed if needed. Smith did not feel the grid would be necessary, and thought that they might not even need to go down the entire 18". RG Huston Company, Inc. had been consulted and indicated that they could not beat the price quoted by Wolf Paving, plus involving another contractor could complicate the warranty. The Treasurer confirmed that the 2014 carryover funds would cover this extra cost. **MOTION** by Anders/Williams to approve the change order, not to exceed \$15,000. **MOTION CARRIED 4-0.**
- F. Discuss/Consider quote for lighting of WWI monument: A quote from Accurate Electric, Inc. showed a cost of \$1,258.00 to install two new LED fixtures to illuminate both the WWI Monument and the existing memorial in front of the Town Hall. **MOTION** by Anders/DuPlayee to accept the quote from Accurate Electric, Inc. **MOTION CARRIED 4-0.** The expense will be posted against the Town Hall Maintenance account.
- G. Discuss/Consider payment for Jan – June 2015 DaneCom costs: Anders recommended paying this bill and waiting to see what happens with the DaneCom system in regards to the bill for the second half of 2015. DuPlayee said he does not have a problem with paying as agreed through 2015, but will not support any further payments until the system is fully functional. **MOTION** by Hampton/Williams to approve payment of \$1,898.00 for Jan – June DaneCom costs. **MOTION CARRIED 4-0.**
- H. Set date for first Town Board meeting in September: **MOTION** by Williams/DuPlayee to hold the first Town Board meeting in September on Tuesday, September 8th since Labor Day falls on the regularly scheduled date. **MOTION CARRIED 4-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

- A. Joint Town/Village Landfill Monitoring Committee: There have been no gas detects and monitoring costs are still under budget.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 7:55 P.M.

Kim Banigan, Clerk
Approved 8/17/2015

TOWN BOARD RESOLUTION 2015-05

RESOLUTION OF LODGE, ASSOCIATION OR OTHER SIMILAR ORGANIZATION

Bank of Sun Prairie
228 East Main Street
Sun Prairie WI 53590

By: TOWN OF COTTAGE GROVE
4058 COUNTY RD N
COTTAGE GROVE, WI. 53527

Referred to in this document as "Financial Institution"

Referred to in this document as "Association"

I, KIM BANIGAN, certify that I am Secretary (clerk) of the above named association organized under the laws of WISCONSIN, Federal Employer I.D. Number 39-6005842, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Association duly and properly called and held on AUGUST 3, 2015 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. <u>DEBRA ABEL / TREASURER</u>	X _____	X _____
B. <u>KRIS HAMPTON / TOWN CHAIRMAN</u>	X _____	X _____
C. <u>KIM BANIGAN / CLERK</u>	X _____	X _____
D. <u>STEVE ANDERS / SUPERVISOR</u>	X _____	X _____
E. _____	X _____	X _____
F. _____	X _____	X _____

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
<u>NA</u>	(1) Exercise all of the powers listed in this resolution.	<u>NA</u>
<u>AC</u>	(2) Open any deposit or share account(s) in the name of the Association.	<u>1</u>
<u>ABCD</u>	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	<u>3</u>
<u>NA</u>	(4) Borrow money on behalf and in the name of the Association, sign, execute and deliver promissory notes or other evidences of indebtedness.	<u>NA</u>
<u>NA</u>	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Association as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	<u>NA</u>
<u>ABCD</u>	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	<u>1</u>
<u>ABCD</u>	(7) Other <u>Contract for Internet Banking, Cash Management, PAL, Debit/ATM Card(s), for non-authorized signers of the business, ACH and/or any other Electronic Service offered.</u>	<u>1</u>

LIMITATIONS ON POWERS The following are the Association's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated JULY 23, 2015. If not completed, all resolutions remain in effect.

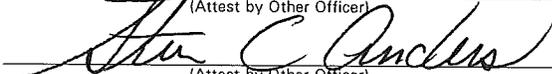
CERTIFICATION OF AUTHORITY

I further certify that the Association has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

If checked, the Association is a non-profit lodge, association or similar organization.

X 
(Secretary)

X 
(Attest by Other Officer)

X 
(Attest by Other Officer)

RESOLUTIONS

The Association named on this resolution resolves that,

- (1) The Financial Institution is designated as a depository for the funds of the Association and to provide other financial accommodations indicated in this resolution.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the Financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
- (3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an Agent of the Association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
- (4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (5) The Association agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Association. The Association authorizes the Financial Institution, at any time, to charge the Association for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.
- (6) The Association acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Association to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
- (7) The Association acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Association with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Association authorizes each Agent to have custody of the Association's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Pennsylvania. The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

FOR FINANCIAL INSTITUTION USE ONLY

Acknowledged and received on _____ (date) by _____ (initials) This resolution is superseded by resolution dated _____ .

Comments: