

TOWN OF COTTAGE GROVE
 REGULAR BOARD MEETING
 January 3, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Virgil Schroeder, Dave Morrow, Steve Anders and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith.

- II. Minutes of Previous Meeting:
 - A. **MOTION** by Anders/Klinger to approve minutes of the public hearing and regular board meeting on December 20, 2004, with the following correction to item I. of the Public Hearing: The public hearing was called to order at 6:55 P.M. **MOTION CARRIED 5-0.**

- III. Finance Report:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11364 to #11413. **MOTION CARRIED 5-0.**

 - B. **MOTION** by Anders/Klinger to accept net worth at \$3,586,327.29. **MOTION CARRIED 5-0.**

 - C. Treasurer Simonson stated that January payment checks to the school districts will be released as emergency checks next week because the amounts are not known until later this week.

 - D. **MOTION** by Anders/Klinger to approve 4th quarter per diems for 2004, 2004 Plan Commission per diems, and the partial list of 2004 Emergency Government per diems as presented. Linda Fonger's Emergency Government per diems have not yet been submitted. **MOTION CARRIED 5-0.**

- IV. Public Concerns:
 - A. Laura Shook from the Girl Scouts requested the use of the Town Hall for one day during the first week of March for cookie delivery. The Board agreed that this was OK, and advised Miss Shook to contact Highway Superintendent Smith when the exact day is known.

- V. Right of Way Permits: None.

- VI. Landfill Update: Chairman Hampton reported that the December 23, 2004 test showed both gas probes 8 and 9 at zero.

- VII. Approve CSM – William Viken (D. Lange Property): Mr. Viken presented the Certified Survey Map. **MOTION** by Morrow/Klinger to approve the CSM for Lot 1, 1.434 acres, zoned as A-2. **MOTION CARRIED 5-0.** The board advised Mr. Viken to call the County for results of the density study, and have a copy sent to the Town.

- VIII. Kinney Assessment: Chairman Hampton reported that he had spoken with John and Tony at Associated Appraisal Consultants, Inc., and they explained the following:

| Year | Assessed Value | Explanation |
|------|----------------|---|
| 2003 | \$314,700 | Assessment was in error – too high |
| 2004 | \$267,900 | Reduced artificially to compensate for 2003 error |
| 2005 | ??? | Assessed at correct level |

- IX. Gary Schumacher, Superintendent of the Monona Grove School District, presented a site plan for the middle school proposed by the February 15, 2005 referendum. Supervisor Anders questioned the position of the new portion of Damascus Trail, indicating that he would rather see it run along the School property's east border. Mr. Schumacher stated that the School Board initially wanted it to run on the lot line, but had been told it had to run straight north from the existing Damascus Trail. Lots between Damascus and the east lot line could be sold to a developer. Supervisor Schroeder stated he had a problem with the School District being in the development business. The Board advised that since development of those lots and the 40 acre parcel north of the school property depend on the new portion of Damascus, the School Board should pursue cost sharing of the road construction with the potential developer. Highway BB will need to be widened to four lanes for the length of the school property.

Supervisor Hampton asked about the direction of drainage of the property, and stated that it was important to keep retention ponds away from private wells.

Mr. Schumacher asked when to apply for annexation, and was advised by the Board to wait until after the February 15th referendum.

- X. Town Capital Asset Capitalization Policy: Supervisor Anders asked why real property was depreciated. Treasurer Simonson and Highway Superintendent Smith both indicated that they had initially questioned the same point, but Virchow Krause Co. had advised them that it had to be done that way. Anders stated that he would be looking for an answer to his satisfaction when Virchow Krause presents the results of the Audit in the Spring. **MOTION** by Klinger/Schroeder to approve the Town of Cottage Grove Capital Asset Capitalization Policy. **MOTION CARRIED 5-0.**
- XI. ETZ Resolution: Katie Austin of the Herald/Independent stated that an article about ETZ will appear in the paper the week of January 10th to let residents know that public input is requested at the January 17th Board Meeting. A discussion regarding the ETZ map was held, and it was decided to hold off on any mapping until after this month's Joint Board meeting and the public hearing at the next Board meeting.
- XII. Clerk's Report. None.
- XIII. Board Reports: None
- XIV. Committee Reports:
A. LEC: Supervisor Morrow reported that the LEC had allocated the remaining 2004 budget for necessary equipment for the 11th officer, and the Town and Village will split training costs for the 11th officer according to the current split.
- XV. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:22 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
ETZ PUBLIC HEARING
January 17, 2005

- I. The public hearing was called to order by Chairman Hampton at 7:00 P.M. Members present: Chairman Kris Hampton, Supervisors Virgil Schroeder, Dave Morrow, Steve Anders and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Town Attorney Connie Anderson. See others present the attendance sheet attached as Appendix A.
- II. Chairman Hampton gave an overview of extraterritorial zoning, and asked if there were any questions.
- III. The board was asked how ETZ affected annexations, and specifically if it would affect annexation for the middle school should Monona Grove's referendum pass on February 15. The answer was that it ETZ would not prevent annexation, either by the Village of Cottage Grove, or by the City of Madison.
- IV. Much of the discussion centered on stopping annexation by the City of Madison and the Village of Cottage Grove. Anders explained that ETZ does not mean that Town subdivisions need to annex, and that residents must ask to be annexed, they cannot just be taken by a city or village. Attorney Anderson pointed out Resolution 2004-14, which directs the Joint Planning Committee to work with the City of Madison on a boundary agreement, as a measure being taken to hold back the City of Madison.
- V. The board was asked what areas on the map proposed by the Village (attached as Appendix B) the Town is considering for ETZ. Hampton stated that he would exclude everything east of County Road N. Schroeder added that he would exclude the "Highway N corridor" south of the Village Limits. Anders agreed with both exclusions, and further stated that it was most important for residents to be aware that zone changes would be frozen while the joint ETZ committee developed the new zoning ordinances, which could take up to 3 years.
- VI. The board was asked what the advantage of ETZ is. Hampton stated that it was an opportunity to cooperate with the Village to allow for growth in the Township. Attorney Anderson described growth in the Town of Cross Plains that had been allowed under ETZ, but would not have been allowed under County zoning.
- VII. The board was asked about properties split by the ETZ boundary – could they be all in or all out? Since the ETZ cannot be larger than the ETJ, those properties could be excluded but not entirely included. Landowners of split properties were urged to make their preference known before the final map is negotiated with the Village.
- VIII. Several residents expressed concern about approving the ETZ resolution without a final map. Attorney Anderson pointed out footnote 1 of the resolution which states "The specific limits of the ETZ Area shall be depicted on a map agreed to by the Town and Village and attached to the Village's resolution establishing extraterritorial zoning".
- IX. Attorney Anderson described the difference between ETJ and ETZ, stating that ETZ determines land use, ETJ gives the Village veto power on land division. Under ETZ, the Village would administer zoning changes using the code developed by the joint ETZ committee. Land division under ETZ would be administered by Dane County using the code developed by the joint ETZ committee rather than county zoning code.
- X. The board was asked whether they would ask for veto power under the new zoning ordinance. Attorney Anderson indicated that was something she would expect of this board.
- XI. Chairman Hampton asked for a show of hands of those who would approve of moving forward with ETZ. A majority raised their hands.
- XII. The public hearing was closed at 8:10 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
January 17, 2005

- I. The meeting was called to order by Chairman Hampton at 8:19 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Virgil Schroeder, Dave Morrow, Steve Anders and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith and Town Attorney Connie Anderson.
- II. Minutes of Previous Meeting:
 - A. **MOTION** by Schroeder/Klinger to approve minutes of the regular board meeting on January 3, 2005. **MOTION CARRIED 5-0.**
- III. Finance Report:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11414 to #11494, holding check #11487 until the next Town Board meeting. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to accept net worth at \$1,234,582.57. **MOTION CARRIED 5-0.**
 - C. Treasurer Simonson stated she would have a year end report after the audit on February 16th and 17th, and after the December Village Police and Fire Department billing is received, but that so far things were looking pretty good.
- IV. Public Concerns: None
- V. Right of Way Permits: None.
- VI. Landfill Update: Chairman Hampton reported that the Town has been cited by the County for not being in compliance with the sign ordinance with the sign at the landfill. Hampton mailed a letter to the County stating that it is a community sign which provides community information and is not subject to a permit.
- VII. ETZ Resolution:
 - A. Consensus was to work on the ETZ map at the Joint Town/Village Board meeting on February 3rd, assuming that the Village will approve their ETZ resolution on February 7th.
 - B. Language was added to the resolution such that the ETZ will not be used to limit the Town's ability to grow in the ETZ Area. Attorney Anderson will add the language and forward the new document for signing.
 - C. **MOTION** by Anders/Klinger to adopt resolution 2005-01 A Resolution Confirming Extraterritorial Zoning with the Village of Cottage Grove with the additional language in B above. **MOTION CARRIED 5-0.**
- VIII. Flynn Hall Kitchen Key: Chairman Hampton explained that the Lion's club is not happy that the new Flynn Hall key also opens the kitchen, even though renters have always been given a kitchen key if they wanted it. The Lion's club is worried about supplies stored in the kitchen. Consensus was for the Chairman to work with the Lion's club to resolve the problem by suggesting they move supplies to the locked room downstairs, or put a padlock on one cupboard and give the Town a copy of the key.

- IX. WTA District Meeting – February 11 – Sun Prairie: Hampton will attend, Morrow will let the Clerk know tomorrow.
- X. Attain Dane Meeting – January 19 – Sun Prairie: Hampton and Schroeder will attend.
- XI. WTA Convention – October 16-19 – Stevens Point: The Clerk was directed to reserve rooms for all board members.
- XII. Clerk’s Report. None.
- XIII. Board Reports:
 - A. Cable – none.
 - B. Chairman Hampton asked for a volunteer to attend a joint Village of Cottage Grove/Town of Sun Prairie meeting on January 19th. Morrow will attend.
 - C. Chairman Hampton presented a map to change drainage on property east of the Town Hall. The Hustons are working with the DNR on this, and will be coming to the Board at a later time.
 - D. Chairman Hampton presented a letter from the Friends of the Cottage Grove Library asking to use the Town Hall for fund raising for the library. Consensus was to allow the request.
 - E. Chairman Hampton reported from the Urban Town’s Committee meeting on January 15th that Capital Day will be April 27. He also reported on the annual report of the Phase II stormwater update.
- XIV. Committee Reports:
 - A. Emergency Government: Schroeder reported that the committee had updated the emergency government manual, and was looking for a list of Town Equipment. Schroeder stated he also thought it would be good to supply a list of personnel available.
- XV. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:47 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE

SPECIAL BOARD MEETING

January 31, 2005

- I. The meeting was called to order by Chairman Hampton at 6:10 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Mike Klinger. Also present were Clerk Kim Banigan, Attorneys Connie Anderson and Greg Murray, Laura Guyer from Dane County Parks, Brian Standing from Dane County Planning and Development, and Elizabeth Kluesner from the Dane County Executive's Office.
- II. **MOTION** by Morrow/Klinger to approve the Service Agreement for Web Hosting Service by the Department of Administration's Division of Enterprise Technology. **MOTION CARRIED 3-0.**
- III. **MOTION** by Klinger/Morrow to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STATS. §19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning strategy to be adopted with respect to TDR litigation and landfill litigation. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 3-0.** Moved to Closed Session at 6:11 P.M.
- IV. **MOTION** by Klinger/Morrow to reconvene to open session . **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0-1.** (Schroeder and Anders arrived during the closed session, Schroeder abstained from the vote.). Reconvened to open session at 7:11 P.M. No action as a result of the closed session.
- V. No report was made on the Attain Dane meeting.
- VI. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 4-0-1.** Schroeder abstained. The meeting was adjourned at 7:12 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 7, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meetings:
 - A. **MOTION** by Schroeder/Morrow to approve the minutes of the public hearing and board meeting on January 17, 2005 as presented. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Hampton/Morrow to approve the minutes of the special board meeting on January 31, 2005 as presented. **MOTION CARRIED 4-0-1.** (Schroeder abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11495 through #11559, noting that #11557 was voided, holding #11558 for release by Highway Superintendent Smith when needed, holding #11553 until the next board meeting, and releasing #11487. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$2,167,961.92. **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way permits: **MOTION** by Anders/Klinger to approve the following permits:
 - A. Repair of water main at 2973 Valley Street
 - B. Installation of new pole and electric service at 3164 Luds Lane**MOTION CARRIED 5-0.**
- VI. Landfill update: Chairman Hampton reported that the January 21, 2005 test results showed zero methane on gas well 8. Gas well 9 could not be tested due to ice in the metal casing
- VII. Plan Commission Recommendations:
 - A. Zone change: Steve Armstrong – 2772 Hwy 12 & 18, & Carol Meier/Etas Carria – 2774 Hwy 12 & 18. Intended land use for single family residence mortgage purpose. **MOTION** by Anders/Morrow to accept Plan Commission recommendations to approve rezone for Armstrong from C-2 to R-1 for .72 acres, and for Meier/Carria from C-2 to R-1A for 1.66 acres. **MOTION CARRIED 5-0.**

Anders left for EMS page at 7:12 P.M.

- B. Zone Change: Gregory Scalissi – 3637 Natvig Road. Intended land use to build a detached garage with correct set backs. **MOTION** by Schroeder/Morrow to accept Plan Commission recommendation to approve zone change from R-1 to R-3 with restrictions of a 24 x 28 garage. **MOTION CARRIED 4-0.**
- VIII. Land Rental Agreement – Halverson: **MOTION** by Schroeder/Klinger to continue the Cash Farm Lease from April 1, 2005 to March 31, 2006 at a rate of \$80 per acre for a total of \$400 annually. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 7, 2005

- IX. Drainage Plan – John Hornung: John and Andy Hornung were in attendance, along with Dwight Huston, who presented a drainage plan that will be completed by R.G. Huston as soon as weather permits. Board consensus was that the plan was acceptable, and the item would be revisited at May 2, 2005 board meeting to determine if the work has been completed or the letter of credit needs to be renewed. Mr. Huston was advised by the board to check into any necessary permits.
- X. Reconsider Deerfield School crossing guards: Paul Haag and Jeff Quamme, members of the Deerfield Village Board, were present. Haag presented documents showing the cost of crossing guards to be about \$3000, with about \$400 coming from residents of the Town of Cottage Grove. He asked the board to reconsider their previous decision to not allow the Deerfield School District to tax for crossing guards, stating that eliminating the crossing guard expense would not reduce taxes, the school district would just apply the \$400 elsewhere. **MOTION** by Hampton to allow the Deerfield Community School District to tax for crossing guards. The motion was not seconded. **MOTION FAILED.**
- XI. Amendment to 2005 Budget: Chairman Hampton presented Budget Amendment No. 1, 2005 (Appendix A). **MOTION** by Schroeder/Klinger to approve the amendment as presented. **MOTION CARRIED 4-0.**
- XII. Clerk's Report: None.
- XIII. Board Reports:
A. Cable – none.
B. Discussion of Board Table: Klinger presented a life-size paper model of the proposed model. Board consensus was to reduce the size to 200 inches, and review a new quote at the February 21st meeting.
C. Finalize Holiday Gathering: The date is set for February 18, 2005, place to be determined.
- XIV. Committee Reports: None.
- XV. **MOTION** by Morrow/Schroeder to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:14 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 7, 2005

Appendix A

BUDGET RESOLUTION NO. 1, 2005

A resolution changing the 2005 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

BE IT RESOLVED by the TOWN BOARD of the Town of Cottage Grove as follows:

Income:

Account #41640 – Village Fire Payments is reduced to \$77,024 (-\$12,070)

Net Change to Income -\$12,070

Expense:

Total Judicial and Legal is increased to \$106,507 (+\$ 8,330)

Account #50300 Clerk Salary is increased to \$10,167 (+\$ 576)

Account #50310 Clerk FICA is increased to \$778 (+\$ 44)

Account #50420 Secretary Salary is increased to \$11,600 (+\$5,200)

Account #50430 Secretary FICA is increased to \$901 (+ 397)

Account #50450 Replacement Secretary is reduced to \$4650 (-\$4,450)

Account #50460 Replacement Secretary FICA is reduced to \$356 (-\$ 340)

Account #52550 Fire Truck Capital Outlay is reduced to \$49,426 (-\$23,667)

Account # 50340 Office Equipment Purchases (+\$ 1,840)

Net change to expense -\$12,070

Net Change \$ 0

Adopted this 7th day of February, 2005 by a vote of 4 for and 0 against.

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 21, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, and Treasurer Debbie Simonson.
- II. Minutes of previous meetings:
 - A. **MOTION** by Schroeder/Morrow to approve the minutes of the regular board meeting on February 7, 2005 as printed. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Morrow to approve and release the minutes of closed sessions on June 1, June 21, August 2, October 6, and December 6, 2004. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11560 through #11601, holding #11553 until the next board meeting. **MOTION CARRIED 4-0.**
 - B. For 2006 budget, web page expense should be split off into its own category.
 - C. **MOTION** by Schroeder/Klinger to approve the net worth at \$1,179,841.80. **MOTION CARRIED 4-0.**
 - D. Treasurer Simonson stated that Virchow/Krause performed the audit last week, and results are looking good. She is still working on the Capital Asset project, which will need to be audited when she is finished. The auditors did say that timesheets should be signed by employees and initialed by supervisors. The clerk was directed to design a new time sheet incorporating these features. The board also wishes to send out RFP's to other accounting firms next summer.
- IV. Public Concerns: None.
- V. Road Right of Way permits: None.
- VI. Landfill update: None.
- VII. Meeting Table: Klinger presented a new plan for the table measuring 17'6" in length at a cost of \$3675. **MOTION** by Schroeder/Klinger to approve purchase of the table. **MOTION CARRIED 4-0.**
- VIII. Discuss appointments to the ETZ committee: Chairman Hampton stated that the Village would be voting on their ETZ resolution until March 7, and the Board should be ready to appoint ETZ committee members at the April joint meeting. Discussion was to appoint 2 board members and 1 planning commission member. No final choices were made.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 21, 2005

- IX. **MOTION** by Klinger/Morrow to MOVE INTO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session: Landfill and Tomesh. **ROLL CALL VOTE – ALL AYES. MOVED TO CLOSED SESSION AT 7:43 P.M.**
- X. **MOTION** by Morrow/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES. RECONVENED TO OPEN SESSION AT 7:55 P.M.** No action as a result of the closed session.
- XI. Discuss Village Resolution on development moratorium: Chairman Hampton stated that the Village President had requested the Town Board's support in a Village resolution adopting a temporary moratorium on annexations of property to be developed for residential purposes. Hampton stated that a Town Board resolution would be meaningless since the Village already has veto power by extraterritorial jurisdiction on anything within 1 ½ miles of the Village, and anything that would be developed is in the ETZ area that will be frozen once the Village passes their resolution. Consensus was to not do anything.
- XII. Clerk's Report: None.
- XIII. Board Reports:
A. Cable – none.
- XIV. Committee Reports:
A. AD HOC Joint School Planning: Chairman Hampton stated that Monona wants a say in how much growth can occur in the Village each year.
- XV. **MOTION** by Schroeder/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:10 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 7, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith.
- II. Minutes of previous meetings:
 - A. **MOTION** by Morrow/Anders to approve the minutes of the regular board meeting on February 21, 2005 as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Morrow/Klinger to approve and keep closed the closed session minutes of February 21, 2005. **MOTION CARRIED 4-0-1.** (Anders abstained.)
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11602 through #11650, including the release of check #11553. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,115,873.91. **MOTION CARRIED 5-0.**
 - C. Treasurer Simonson handed out a new Capital Asset Capitalization Policy, and pointed out the addition of a \$25,000 threshold for reporting of Infrastructure. She asked that the policy be considered for approval at the March 21st board meeting.
- IV. Public Concerns: Jim Bradt questioned an item he saw on a Village agenda regarding an agreement with the City of Madison. The board pointed to the J3 map showing planned green space and conservation subdivision in the township near the City limits, and explained that the Town and Village hope to reach an agreement with the City to abide by the Town's plan for these areas.
- V. Road Right of Way permits: None.
- VI. Landfill update: Chairman Hampton reported that the February 28th test results showed zero methane on both gas probes 8 and 9.
- VII. Plan Commission Recommendations:
 - A. R.G. Huston, Inc. (Dale and Dwight Huston, Owners)

Hampton excused himself due to a professional relationship with the owners. Dwight Huston and Dennis Richardson appeared representing R.G. Huston, Inc.
 1. NW Corner of Intersection of Hwy 12 & 18 and County Road N. Zone Change A-1EX to C-2 for 45.1727 acres. Time extension of existing CUP #1476 for 45.1727 currently zoned A-1EX. Intended land use for agricultural mineral extraction (CUP #1476) and future commercial lots. New CUP #1956. County Petition #9207. **MOTION** by Klinger/Morrow to conditionally approve the zone change for the 45.1727 acres from A-1Ex to C-2 subject to the express limitation set forth in exhibit J-3 of the Town of Cottage Grove Smart Growth Plan (adopted by the County on 4/10/03) - "Limited Commercial: Distribution Centers, light industrial (e.g. machine shops), rental businesses, agribusiness, recreation activities, veterinary services, pet care, utility services, equipment repair, bottling plants,

fertilizer mixing or blending plants, sale of new/used recreational, motor vehicle, or contractor's machinery and equipment of the like", and subject to the limitation that any future and/or additional land division must be approved by the Town Plan Commission and Board and move to approve CUP #1956 with the same conditions as original CUP 1476, for mineral extraction with a 5 year extension. (language for motion provided by Attorney Greg Murray.) **MOTION CARRIED 4-0**

2. Nora Road Site – Time extension of existing CUP #1405 for 25.86 acres currently zoned A-1EX. Intended use for mineral extractions. Schroeder asked why the extension was needed – he had understood that reclamation was due to occur this year. Dennis Richardson stated that they had originally planned to stockpile material to sell during the reclamation process, but found out the sale of stockpiled material is considered mining. Richardson further stated that while a 5 year extension is being sought, realistically the site would not be in operation more than a couple more years. **MOTION** by Schroeder/Morrow to approve Plan Commission recommendations for a time extension of 5 years with the same conditions as the original CUP. **MOTION CARRIED 4-0.**
3. Dennis Richardson presented a drainage map and explained ditch and berm work being done east of the Town Hall to divert drainage from the Village into settling areas in the marsh rather than overwhelming ditches further down stream.

Hampton returned to the table.

B. Donald & Marilyn Viney

1. Kinney Road – A-1 EX to R-1 and R-1 to A-1EX for 1.5+ acres. Intended land use for lot adjustment line. **MOTION** by Schroeder/Anders to accept Plan Commission recommendations as follows:
 - 1) A-1EX to R-1A down to 1.582 acres for Lot 1, down to 1.5704 acres for Lot 2.
 - 2) Vacate part of old Lot 1 – R-1A back to A-1EX.**MOTION CARRIED 5-0.**

2. Viney (Grove Acres, LLC, Owner) – 2236 Hwy 12 & 18 – Zone change from A-1 to A-2 for 5.8615 acres, for the purpose of correcting the boundaries. Don Viney presented a map of the proposed boundary changes, along with a signed statement from Robert Hunter, the owner of 2234 Hwy 12 & 18, stating that he is in agreement with the rezone of his property from A-1 to R-1. **MOTION** by Anders/Klinger to accept the Plan Commission recommendation for zone change from A-1 to A-2 for 5.8615 acres at 2236 Hwy 12 & 18, along with zone change from A-1EX to R-1 for ±62 acres at 2234 Hwy 12 & 18, with boundary changes as specified on the map presented. **MOTION CARRIED 5-0.**

- C. Louisa Murphy – 3368 Ridge Road – Zone change – RH-2 to A-2(4) for 5.23 acres. Intended land use for kennel/dog training building (very small scale). **MOTION** by Klinger/Anders to accept the Plan Commission recommendations to approve zone change to A-2(4) and CUP for only uses (o) “Kennels, horse boarding stables, riding stables, hay and sleigh rides, horse shows and similar events”, (t) “Retail sales of pet food, pet supplies and related items at a kennel facility. Said use shall be limited to a maximum of 100 square feet of floor space”, and (u) “Training of dogs at a dog kennel or training of horses at a horse boarding facility”, limited to 8 kennel runs, 12’ sidewalls and not more than 16 training dogs on premises at one time, training hours limited to 8:30 A.M. to 8:30 P.M. **MOTION CARRIED 5-0.**

- D. Birrenkott Surveying (Eugene and Polly Skaar, Owner) Zone Change – Field View Lane – A-1EX to R-1 for 1 acre. Intended land use to create a lot for a family member for a single family home. Hampton reported that because the proposed site is in area 5 in the Town Plan, the Plan Commission advised the applicant to look for an alternative site on the other side of the road.
- VIII. Delinquent Personal Property Tax – Dale Munson – Next steps. Treasurer Simonson stated that Mr. Munson is delinquent in paying his personal property tax for the third year in a row. The Town currently has liens on his property for the previous two years. Board consensus was for her to proceed with placing another lien on his property for this year's taxes.
- IX. Dane County Comprehensive Plan – Intergovernmental Cooperation Meetings – Town Delegate. Hampton stated he will try to attend.
- X. Skip to Clerk's Report
- A. Dane County Ordinances: **MOTION** by Hampton/Anders to approve Sub.1 to Ordinance Amendment 18, 2004-2005, Amending Chapter 10, Providing for Agricultural Based Education and Entertainment in the A-1 Exclusive Agriculture District. **MOTION FAILED 2-3.**
- XI. Board Reports
- A. Cable – None.
- XII. Committee Reports.
- A. LEC – Hampton reported on a police car vs. deer accident.
- B. Jt. Town/Village Plan Committee – nothing.
- C. Highway Superintendent Smith:
1. Kids from the church had gotten into janitorial supplies. The Board advised Smith to install a lock on the supply room door.
 2. Other area municipalities have posted roads. Smith feels it is too early. The Board advised Smith to post when he deems necessary.
 3. Smith inquired about running an ad for the old plow truck in the Wisconsin Town's Association newsletter. The Board advised him to run the ad, with a \$20,000 minimum bid, and offering the truck as available in May.
- XIII. **MOTION** by Klinger/Anders to MOVE INTO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(c) for the purpose of meeting with the Village Board on the current union negotiations for the joint Police Department. **ROLL CALL VOTE – ALL AYES. MOVED TO CLOSED SESSION AT 8:12 P.M.**
- XIV. **MOTION** by Schroeder/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES. RECONVENED TO OPEN SESSION AT 8:59 P.M.** No action as a result of the closed session.
- XV. **MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:00 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 21, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith.
- II. Minutes of previous meetings:
 - A. **MOTION** by Morrow/Klinger to approve the minutes of the regular board meeting on March 7, 2005 as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Morrow to approve and keep closed the closed session minutes of March 7, 2005. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Klinger to approve payment of bills corresponding to checks #11651 through #11686. **MOTION CARRIED 5-0.**

(Anders left the table)

 - B. **MOTION** by Schroeder/Klinger to approve the net worth at \$1,046,212.59. **MOTION CARRIED 4-0.**
 - C. Treasurer Simonson requested that first quarter per diems be turned in to her by Friday, April 1, 2005.
- IV. Public Concerns: None.

(Anders returned)
- V. Road Right of Way permits: None.
- VI. Landfill update: None.
- VII. Capital Asset Capitalization Policy: Treasurer Simonson stated that the policy has been approved by Virchow/Krause. **MOTION** by Anders/Morrow to accept the Capital Asset Capitalization Policy for the Town of Cottage Grove. **MOTION CARRIED 5-0.**
- VIII. ETZ Committee Appointments: Steve Anders, Steve Querin-Schultz, Kathy Christoph and Dave Meuhl all expressed interest in serving on the committee. **MOTION** by Klinger/Morrow to appoint Steve Querin-Schultz, Steve Anders and Kris Hampton to represent the Town on the ETZ Committee. **MOTION CARRIED 5-0.**
- IX. Change to Easement – Dale Fredenberg: Mr. Fredenberg presented survey maps showing current and proposed changed easements involving two lots he owns on Nora Road. **MOTION** by Anders/Klinger to approve the change of easement as presented by the survey maps dated March 18, 2005. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 21, 2005

- X. Dates for Road Inspections: **MOTION** by Anders/Klinger to hold the annual road inspection on Friday, April 8, 2005, beginning at 1:00 P.M. at the Town Garage. **MOTION CARRIED 5-0.**
- XI. Clerk's Report
- A. Dane County Ordinances:
1. **MOTION** by Hampton/Anders to NOT accept Ordinance Amendment 28, 2004-2005 Amending Chapter 10 of the Dane County Code of Ordinance, regarding appeal of conditional use permits to the County Board. **MOTION CARRIED 5-0.**
 2. **MOTION** by Hampton/Schroeder to NOT accept Ordinance Amendment 31, 2004-2005, Amending Chapter 10 of the Dane County Code of Ordinances, Modifying the Adult Entertainment Overlay District, and to accept Ordinance Amendment 32, 2004-2005, Amending Chapter 10 of the Dane County Code of Ordinances, regarding Adult Entertainment Establishments. **MOTION CARRIED 4-0-1.** Morrow abstained.
- XII. Board Reports
- A. Collection of Personal Property Taxes: Treasurer Simonson reported that after sending out her first reminder letter to delinquent personal property taxpayers, she still had not received payment from three taxpayers. She is about to send out her second letter, after which she will file in small claims court for any taxes that remain delinquent. She asked the Board whether she should consult a collection agency for assistance with collecting from the Dale Munson, who has not paid for three years now. She stated that when she called State Collection Agency last summer, they told her she had already done the same things that they would. The Board directed her not to contact a collection agency, but to proceed with a lien on the property for this year's taxes.
- XIII. Committee Reports.
- A. Emergency Government: No Report.
 - B. EMS: No Report.
- XIV. **MOTION** by Anders/Schroeder to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:23 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 4, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith.
- II. Minutes of previous meetings:
 - A. **MOTION** by Schroeder/Klinger to approve the minutes of the regular board meeting on March 21, 2005 with a correction to the date in item III. C. to April 1, 2005. **MOTION CARRIED 3-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11687 through #11721. **MOTION CARRIED 3-0.**
 - B. Treasurer Simonson noted that the net worth includes a \$133,606 lottery tax credit which is due to be paid out to the school districts, county and state on April 15, 2005. **MOTION** by Schroeder/Klinger to approve the net worth at \$1,130,316.74. **MOTION CARRIED 3-0.**
 - C. **MOTION** by Klinger/Schroeder to approve payment of first quarter per diems as presented. **MOTION CARRIED 3-0.**
- IV. Public Concerns:
 - A. Bill Klein stated his preference that The Farm Golf Course remains green space, which was echoed by Kevin Bronkhorst, who further stated his concern for the wetlands and animal habitats on the property. Jodie Amerell had heard a vote to change the use of the property was coming up in June. Chairman Hampton stated that the Town has not been notified any such request, and that any development of the property would most likely take place only after being annexed into the Village because sewer would be needed. The property is currently marked as green space in both the Town's and the Village's Smart Growth plans, and Hampton and Schroeder both indicated they would have no interest in changing it.
 - B. Ann Gausmann read a letter to the Board stating her dissatisfaction with not being allowed to serve as election inspector on April 5, 2005 due to an unresolved complaint regarding her encounter with a resident on the afternoon of April 4th.
- VIII. (Anders arrived)
- V. Road Right of Way permits:
 - A. **MOTION** by Klinger/Schroeder to allow Alliant to jack and bore and trench for plastic gas service at 4417 Buckley Ridge. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 4, 2005

- B. **MOTION** by Klinger/Anders to allow Alliant to jack and bore and trench to fix a secondary at 2744 Bluebird Lane. **MOTION CARRIED 4-0.**
- VI. Landfill update: Chairman Hampton reported that the March 28 test results showed zero methane on gas probe 8, .1% methane on gas probe 9. The last time this concentration was found was on November 25, 2002.
- VII. Plan Commission Recommendations:
- A. John Copenhaver – 4261 Vilas Road – Zone Change. **MOTION** by Schroeder/Anders to approve Plan Commission recommendations from RH-1 to R-3 for .543 acres, intended land use to change setbacks for addition. **MOTION CARRIED 4-0.**
- B. Door Creek, LLP (Gordon Moranske, Partner) – (Frank Hlavac, owner of part of land) – 3100 Hwy 12 & 18 – zone change – A-1 to C-2 for 43.9 acres; A-1 to Conservancy for 12 acres. Intended land use to sub-divide into a commercial development. Discussion centered on a map showing road, building and yard placement in the proposed development. Moranske stated that the road would be built to town standards, as determined by the town’s engineer based on whether there would be ditches or curb and gutter and on street parking. The yard would be fenced. He further stated that the office building would be designed to look nice rather than just being functional, and that site plans for each building would be brought to the town for approval. Hampton stated that a storm water plan would be needed, any lighting must be directed downward, and Knox boxes would be needed for the shop and maybe the office. Anders stated that it was good for the town that Door Creek, LLP intended to design the road for long range development.

MOTION by Anders/Klinger to accept the Plan Commission recommendations to conditionally approve the zone change for 43.9 acres from A-1EX to C-2 subject to the express limitation set forth in Exhibit J-3 of the Town of Cottage Grove Smart Growth Plan (adopted by the County on 4/10/03) – “General Commercial: Professional offices, retail, overnight accommodations, gas stations, vehicular service centers and the like.” and “Limited Commercial: Distribution Centers, light industrial (e.g. machine shops), rental businesses, agribusiness, recreation activities, veterinary services, pet care, utility services, equipment repair, bottling plants, fertilizer mixing or blending plants, sale of new/used recreational, motor vehicle, or contractor’s machinery and equipment of the like”, and subject to the limitation that any future and/or additional land division must be approved by the Town Plan Commission and Town Board. The motion also included approval of the zone change from A-1EX to Conservancy for 12 acres. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 4, 2005

- IX. Proclamation for National Library Week. Penny Andrews, President of the Library Board, stated that she is looking for ideas and enthusiasm from the Town in the building of a community library. Chairman Hampton read and signed the Proclamation for National Library Week.
- VIII. Friends of C.G. Community Library. Anne Schoenemann, President of the Friends of C.G. Community Library, outlined the purpose of her non-profit group as supporting the Library Board, education, information, public relations, and book club formation. Upcoming events include book sales at the C.G. Festival and annual garage sale, a self defense class with proceeds benefiting the Friends group, and treats and crafts at the bookmobile. She asked the board if it would allow a permanent book collection barrel at the Town Hall. Board consensus was to allow the barrel.
- X. X. Mike Klaus – 2131 Native Place – Drive on outlot for building project. Mr. Klaus explained that there is not enough room on the sides of his lot for construction traffic to build a garage in the back of his lot. He presented a map showing the proximity of outlots 2 and 6 on Baxter Road to his property, and asked the board for permission for construction traffic to drive on one of the outlots. **MOTION** by Schroeder/Klinger to allow construction traffic on outlot 2, provided Mr. Klaus installs a temporary gravel drive adequate to support the trucks, then removes the gravel and restores and reseeds outlot 2 to the Highway Superintendent's satisfaction. Any remedial work that the Town needs to perform will be billed to Mr. Klaus, or placed on his tax bill as a special assessment. The Clerk will draft an agreement for Mr. Klaus to sign stating these terms. **MOTION CARRIED 4-0.**
- XI. Soil and Groundwater Contamination in Coffeytown Road Right-of-Way – BT² for Landmark requesting that the DNR close the historic spill case and list it on the Geographic Information System Registry of Closed Remediation Sites. The Board acknowledged notice of the request, but made no comment nor took any action.
- XII. Resolution for Designation of the National Incident Management System (NIMS) as the Basis for Incident Management in Dane County. **MOTION** by Anders/Klinger to approve NIMS. **MOTION CARRIED 4-0.**
- XIII. Hydrite Chemical request to transfer the storage of containerized hazardous waste from its facility at 114 N. Main Street to the existing warehouse located across the street in the industrial park at 150 Progress Drive. The Board acknowledged receipt of this request, but had no comment and took no action.
- XIV. DNR- Status Update – Wollin Garage – 4205 Ridge Road. The Board acknowledged receipt of this information, but had no comment and took no action.
- XV. Alcohol Ordinance. The Clerk presented the modifications to the Alcohol Licensing ordinance, which included changing to State prescribed application forms, and correcting allowable alcohol sales hours and license fees to comply with State Statute. **MOTION** by Klinger/Anders to approve the ordinance changes. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 4, 2005

- XVI. Driveway Ordinance. Highway Superintendent Smith explained the reasoning behind the ordinance change. **MOTION** by Klinger/Anders to approve the ordinance changes to driveway specifications and private snow removal regulation. **MOTION CARRIED 4-0.**
- XVII. Approve Clerk Job Description. **MOTION** by Schroeder/Anders to approve the Clerk Job Description as printed. **MOTION CARRIED 4-0.**
- XVIII. Resolution for Clerk Appointment. **MOTION** by Klinger/Anders to approve Resolution 2005-02 appointing Kim Banigan to a 3-year term of Municipal Clerk, beginning at 1:00 P.M. on April 8, 2005. **MOTION CARRIED 4-0.**
- XIX. Agenda items for Annual Meeting: In addition to the usual items, include permission for the Town Board to appoint assessors, and reconfirm granting of Village Powers to the Board (originally done in 1956).
- XX. WTA State Capital Day: Hampton will attend.
- XXI. Clerk's Report – NONE.
- XXII. Board Reports
- A. Hampton:
 - 1. Pipeline Group – Midwest, Inc, is meeting April 27th.
 - 2. A public hearing for the dissolution of Drainage District 20 is April 18th.
 - 3. Each Board member has been given a copy of the City of Madison's draft comprehensive plan to review for comment at a future board meeting.
 - B. Anders stated he as received 4 phone calls from a resident in Nondahl Heights complaining about loose gravel on the roadway. Anders feels he has a legitimate complaint. Highway Superintendent Smith stated they had spent the day sweeping gravel on cul-de-sacs, that last summer's seal coating had not held gravel as well as expected.
 - C. Highway Bid opening is scheduled for April 29th at 12:00 noon.
- XXIII. Committee Reports – none.
- XXIV. **MOTION** by Klinger/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:49 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
ANNUAL ROAD INSPECTION
APRIL 8, 2005

Chairman Kris Hampton and Supervisor Mike Klinger accompanied Highway Superintendent Jeff Smith on the annual road inspection from 1:30 P.M. to 3:20 P.M. A quorum of the Town Board was not present.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 18, 2005

- I. The meeting was called to order by Chairman Hampton at 7:01 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Attorney Greg Murray.
- II. Minutes of previous meetings:
 - A. **MOTION** by Anders/Hampton to approve the minutes of the regular board meeting on April 4, 2005 as printed. **MOTION CARRIED 4-0-1** (Morrow abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11722 through #11780. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$990,807.48. **MOTION CARRIED 5-0.**
 - C. Treasurer Simonson stated that 2004 personal property taxes have been paid by a taxpayer who has been delinquent for the previous two years. She still has one outstanding 2004 personal property tax payment she is working on collecting.
- IV. Public Concerns: None.
- V. Road Right of Way permits: **MOTION** by Anders/Klinger to allow MG&E to bore across Lotus Lane and Nondahl Circle, and trench and bore across Valley Street for replacement electrical service. **MOTION CARRIED 5-0.**
- VI. Landfill update: None.
- VII. Consider/Approve Town paying for clean-up at 4540 American Way. Attorney Murray presented the agreement signed by Ms. Edna J. Rose granting the Town access to remove junk from her property between March 1 and May 30, 2005. The agreement also states that Ms. Rose will post a \$500 check to the Town to pay for the clean-up. Ms. Rose has refused to pay the \$500, so the question before the Town Board is whether to pay for the clean-up with Town money. Attorney Murray further stated a citation issued by Dane County to Ms. Rose in August of 2004 was up for a status conference in March, but he had asked that it be postponed to allow for the clean-up agreement with the Town. A letter to the County would start court action. The advantages to having the County take action include less expense to the Town, and the fact that the County has prospective authority, i.e. could not only order her to clean up the property, but also to keep it clean in the future. The down side is that it could take up to a year before a county clean-up order would be issued. Hampton asked if a clean-up by the Town would hinder any County action. Murray stated that the County would need testimony about the current state of the property. He suggested that if the Town cleans it up now, and junk has re-accumulated by the end of summer, that would be the

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 18, 2005

time to write that letter to the County.

Attorney Murray stated that the unpaid \$500 could be placed as a lien against the Ms. Rose's property, which would then be recouped by the Town when the property is sold.

Neighbors to 4540 American Way expressed concern for the state of the inside of the house and the septic system as well. Murray stated that a public safety/child welfare visit had been made last fall, and nothing reportable was found. Anders encouraged neighbors to call social services if they continue to have such concerns. The Town has no authority over the inside of the house. Hampton will check on the inspection status of the septic system.

Steve Pfeffer of 4545 Baxter Road stated that he would personally see to the clean-up by May 1st. He then stated he could not stay, and left the meeting.

MOTION by Anders/Morrow for the Town to expend the minimum funds necessary to clean up the non-hazardous trash at 4540 American Way on Friday, April 22, or as soon as possible thereafter, weather permitting. The Town attorney is directed to take the steps necessary to place a lean on the property for the \$500 in the agreement, and to advise Dane County Corp Counsel of the Town's action, and determine when the County can take action to maintain the property in a cleaned-up state. **MOTION CARRIED 5-0.**

- VIII. CSM – Wesley Skaar. Ellery Jensen presented the CSM. Highway Superintendent Smith stated that drainage from the properties would need to be directed to the ditches. **MOTION** by Anders/Klinger to approve the CSM as shown on office map 15132. **MOTION CARRIED 4-1** (Schroeder opposed). The Clerk signed the CSM.
- IX. Approve Basketball Court – 4674 Raven Way. Bill and Holly Alexander presented plans for a basketball court/patio area in the center of their back yard. The board indicated that no permit was needed, but the Alexanders were advised they would need to put in a temporary driveway for any truck traffic that did not enter through their driveway, and any lighting should be directed downward.
- X. Attendees for UTC Meeting May 21, 2005. **MOTION** by Schroeder/Klinger to allow attendance by Hampton and whoever else wanted to go. **MOTION CARRIED 5-0.**
- XI. Disposal of excess furniture from the Town Hall: **MOTION** by Schroeder/Klinger to post photos/descriptions of the old chairs and tables from the Town Hall at the usual posting locations and on the Town's web page, with notice that sealed bids will be opened at the regular Town Board Meeting on May 16. The Town reserves the right to accept or reject all bids. **MOTION CARRIED 5-0.**
- XII. **MOTION** by Klinger/Anders to move to closed session as permitted by Wis. Stats. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business,

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 18, 2005

whenever competitive or bargaining reasons require a closed session. **ROLL CALL VOTE – ALL AYES. MOVED TO CLOSED SESSION AT 8:30 P.M.**

XIII. **MOTION** by Anders/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES. RETURN TO OPEN SESSION AT 8:58 P.M.**

XIV. Clerk's report: The Clerk asked board members for their permission to give the County their home contact information for the 2005 County directory. All agreed.

XV. Board Reports

A. Hampton:

1. On Wednesday, April 20 he will represent the Town on the LEC negotiation team in a meeting with the police union, along with Police Chief John Gould and a representative from the Village.
2. Cottage Grove Fire Department Parade – Does the Town want to participate. Possibly Anders will drive Hampton.
3. Wednesday May 11: membership meeting for DCTA at the Sun Prairie American Legion Post. Attendees on May 2 agenda
4. June 10: Great Midwest Bike Relay. Police Chief Gould has suggested that the transfer point be moved from the bike trail parking lot to Fireman's park. Agenda item for May Joint Meeting.
5. May 21: WTA Hearing at the Capitol for Charter Towns.
6. Drainage District 20 was officially dissolved today. There had been no one present from the drainage board to contest.

XVI. Committee Reports:

- A. Jt. Town/Village Plan Committee – no quorum.
- B. Emergency Government – no village representatives present.
- C. M.G. Smart Growth Committee meeting rescheduled for May 3 at the Community room of the Monona library.

XVII. **MOTION** by Schroeder/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:20 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
SPECIAL BOARD MEETING
April 29, 2005

I. The meeting was called to order by Chairman Hampton at 12:00 Noon. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Virgil Schroeder, Dave Morrow and Steve Anders. Also present were clerk Kim Banigan and Highway Superintendent Jeff Smith.

II. Road Bids – Open and Review:

A. Seal Coating Bids:

| | |
|--|---------------|
| 1. Scott Construction, Inc. – Black Slag | |
| Oil Type | Emulsion |
| Oil/Gallons | 33,200 |
| Oil/20 ft. mile | 3,300 |
| Stone/Tons | 1215 |
| Stone/20 ft. mile | 110 Tons |
| Cost/20 ft. mile | \$6,992.87 |
| Pickup Broom Cost | \$100.00/hour |
| Total cost of all sealcoating projects | \$70,488.32 |
| 2. Scott Construction, Inc. – Birdseye | |
| Oil Type | Emulsion |
| Gallons | 42,100 |
| Oil/20 ft. mile | 4,200 |
| Stone/Tons | 1215 |
| Stone/20 ft. mile | 120 Tons |
| Cost/20 ft. mile | \$7,098.47 |
| Pickup Broom Cost | \$100.00/hour |
| Total cost of all sealcoating projects | \$71,552.75 |
| 3. Scott Construction, Inc. – Portage Bottom Ash | |
| Oil Type | Emulsion |
| Gallons | 42,100 |
| Oil/20 ft. mile | 4,200 |
| Stone/Tons | 1215 |
| Stone/20 ft. mile | 120 Tons |
| Cost/20 ft. mile | \$7,814.18 |
| Pickup Broom Cost | \$100.00/hour |
| Total cost of all sealcoating projects | \$78,767.15 |
| 4. Fahrner Asphalt Sealers, Inc. – Black Slag | |
| Oil Type | CR52 |
| Gallons | 33,317 |
| Oil/20 ft. mile | 3,300 |
| Stone/Tons | 1194 |
| Stone/20 ft. mile | 117 Tons |
| Cost/20 ft. mile | \$6,639.00 |
| Pickup Broom Cost | \$105.00/hour |
| Total cost of all sealcoating projects | \$69,363.00 |

TOWN OF COTTAGE GROVE
SPECIAL BOARD MEETING
April 29, 2005

| | |
|---|---------------|
| 5. Fahrner Asphalt Sealers, Inc. – Birdseye | |
| Oil Type | CR52 |
| Gallons | 42,831 |
| Oil/20 ft. mile | 4,260 |
| Stone/Tons | 1194 |
| Stone/20 ft. mile | 117 Tons |
| Cost/20 ft. mile | \$6,496.00 |
| Pickup Broom Cost | \$105.00/hour |
| Total cost of all sealcoating projects | \$65,914.00 |

B. Repaving Bids:

| | |
|-------------------------------------|-------------------|
| 1. Wolf Paving | |
| Estimated Tons | 3062 |
| Cost/Ton | \$31.27 |
| Type of Gravel | Limestone |
| Total cost of all repaving projects | \$95,748.74 |
| 2. B.R. Amon & Sons | |
| Estimated Tons | 3043 |
| Cost/Ton | \$27.45 |
| Type of Gravel | Sand & Gravel |
| Total cost of all repaving projects | \$83,530.35 |
| 3. Payne & Dolan, Inc. | |
| Estimated Tons | 3210 |
| Cost/Ton | \$27.44 |
| Type of Gravel | Grade #3 Material |
| Total cost of all repaving projects | \$88,082.40 |

III. The Road Bids and highway budget were reviewed, and discussion included the following:

- A. Sealcoating: Smith prefers Portage bottom ash, but cost difference doesn't justify. Black slag stays black, looks nice, requires less road salt, makes center stripe more visible. Consensus to recommend Fahrner Black Slag bid to Town Board.
- B. Repaving: Consensus to recommend both B.R. Amon and Payne and Dolan bids to Town Board.
- C. 2005 budget allows \$168,900 for sealcoating, repaving and center striping. Residents will reimburse for a portion of Luds lane and Wittewood.

Schroeder left at 12:30.

IV. The Road Bids will be awarded at the Regular Board Meeting on May 2, 2005.

V. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 3-0.** The meeting was adjourned at 1:37 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 2, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meetings:
 - A. **MOTION** by Schroeder/Anders to approve the minutes of the regular board meeting on April 18, 2005 and the special board meeting on April 29, 2005 as printed. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Schroeder to approve and keep closed the minutes of the closed session on April 18, 2005. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Anders to approve payment of bills corresponding to checks #11781 through #11818. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$982,387.17. **MOTION CARRIED 4-0.**
- IV. Public Concerns: Chairman Hampton stated that May 1 thru May 7 is Municipal Clerk's week, and thanked Clerk Banigan for her first 13 months of service.
- V. Road Right of Way permits: None.
- VI. Landfill update: None.
- VII. Audit Report – Julie Swingel of Virchow Krause reviewed the 2004 Audit, including several reports that are new this year due to GASB 34 requirements. Her overall analysis was that the Town is in a good financial position, indicated by a relatively low debt ratio, and a surplus from the balanced 2004 budget.
- VIII. Plan Commission Recommendations:
 - A. Discuss/Review change request to Town's Smart Growth Comprehensive Plan:
 1. The west 10 acres of the land east of Field View Lane would be changed from commercial to agriculture, the balance of the parcel east of Field View Lane would remain commercial with an outlet on the South to MN by Eugene Skaar. A motion in favor of this amendment failed with the Plan Commission. Eugene Skaar asked when this change could be effective, Chairman Hampton stated that the Plan Commission would need to have a public hearing, which at the earliest could be the fourth Wednesday in June, and the Town Board would also need to have a public hearing, which puts it

into July at the earliest. Chairman Hampton further stated that if Mr. Skaar would choose an alternative site on the west side of Field View Lane that is not in the commercial area, the zone change would probably go through quicker. Mr. Skaar indicated that he did not feel there was a suitable site on the west side of Field View Lane.

- B. Orlow & Lorraine Johnson – 1520 Hwy 12 & 18 – **MOTION** by Schroeder/Morrow to accept the Plan Commission recommendation for a zone change from A-1EX to RH-1 for a maximum of 2 acres. **MOTION CARRIED 4-0**. It was noted that since the driveway is over 800 feet long, it will need to be built to Town Road standards.
- C. Marjorie Kreuger – 1647 Susan Lane – **MOTION** by Anders/Morrow to accept the Plan Commission recommendation for a zone change from A-2(1) & A-2(1) to A-2(4) and renew CUP #1585 for 5 acres to separate the farm house and farm buildings from the farm. **MOTION CARRIED 4-0**.
- D. Mathew Jungbluth (Lawrence Jungbluth, Owner) – 1667 S. Jargo Road. **MOTION** by Schroeder to deny the Plan Commission recommendation. The motion died due to no second. **MOTION** by Anders/Morrow to approve the Plan Commission recommendation for a zone change from A-1EX to RH-1 for 2 acres. **MOTION CARRIED 3-1** (Schroeder opposed).

IX. Attendees for DCTA meeting May 11, 2005 – Only Chairman Hampton will attend.

X. Hornung – Drainage Plan. Chairman Hampton stated that the earth work has been completed, grading, seeding and mulching still need to be completed. Hornung's Letter of Credit expires May 12, 2005. **MOTION** by Schroeder/Morrow to allow the Letter of Credit to expire providing grading, seeding and mulching is completed by May 9th, at the Chairman's discretion. **MOTION CARRIED 4-0**.

XI. Truck Bids – Open/Award: No bids were received for the truck. **MOTION** by Schroeder/Morrow to trade the truck in on the new truck. **MOTION FAILED 1-3**.

Anders left for an EMS call at 8:17 P.M.

MOTION by Morrow/Schroeder to try to sell the truck at the price of \$22,500 with discretion for the Highway Superintendent to negotiate. **MOTION CARRIED 3-0**.

XII. Award Road Bids:

- A. Re-Paving: **MOTION** by Schroeder/Morrow to accept Payne & Dolan's re-paving bid at \$27.44/ton. **MOTION CARRIED 3-0**.
- B. Bob from Scott Construction asked to speak in favor of his bid using Portage Bottom Ash, stating that while the price was higher than alternative materials, it would require more oil, which would do a better job of sealing cracks. Highway Superintendent Smith agreed, and stated he had been very satisfied with the product in the past, felt it wears longer. **MOTION** by Morrow/Schroeder to accept Scott Construction's Portage Bottom Ash bid for sealcoating. **MOTION CARRIED 3-0**.

- XIII. Donate metal folding chairs and old tables to the Historical Society: **MOTION** by Morrow/Schroeder to donate all of the folding chairs and the 5 old tables, plus one leather arm chair (for historical purposes) to the Historical Society to furnish the old fire station. **MOTION CARRIED 3-0.**
- XIV. Clerk's report: The Clerk passed out copies of a proposed ordinance regulating bicycle events. Chairman Hampton asked the board to review it before the next meeting.
- XV. Board Reports: Hampton asked for and received consensus to send Attorney Greg Murray along with him to a county work session regarding the zone change to commercial for R.G. Huston's Skaar Pit property.
- XVI. Committee Reports:
A. LEC – Morrow stated that the Chief had presented a strategic plan, and the sergeant and chief job descriptions were approved.
- XVII. **MOTION** by Schroeder/Morrow to adjourn. **MOTION CARRIED 3-0.** The meeting was adjourned at 9:02 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 16, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, and Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s): **MOTION** by Schroeder/Morrow to approve the minutes of the regular board meeting on May 2, 2005. **MOTION CARRIED 3-0-2.** Klinger and Anders abstained.
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11819 through #11856. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,039,719.80. **MOTION CARRIED 5-0.**
 - C. Chairman Hampton reported that the old snow plow truck has been sold for \$20,500.
- IV. Public Concerns:
 - A. Diane Shaw asked if the Historical Society needs to formally ask to become a committee of the Town in order to be covered under the Town's liability insurance while using Flynn Hall. Chairman Hampton suggested either a letter of request or a copy of Historical Society minutes reflecting the request.
 - B. Dave Morrow made a **MOTION** to reconsider the rezone request from Matt Jungbluth, which was originally considered at the May 2, 2005 regular board meeting. Klinger seconded the motion. **MOTION CARRIED 5-0.** The clerk will notify Mr. Jungbluth.
- V. Road Right of Way permits: **MOTION** by Morrow/Klinger to approve Alliant to trench and jack & bore at 2410 Ofsthun Road for new underground electric service. **MOTION CARRIED 5-0.**
- VI. Landfill update: Chairman Hampton reported that the 4/27/05 test results showed both gas probes 8 and 9 at .05% methane.
- VII. Discussion with Rich Pertzborn on C-2 zoning: Mr. Pertzborn was not able to come to the meeting. Chairman Hampton reported that Pertzborn was the only County Board member at a workshop who had not approved the C-2 zone change for Dale & Dwight Huston at the corner of Hwy N and Hwy 12 & 18.
- VIII. Bike Event Ordinance – discussion postponed until Police Chief John Gould's arrival.
- IX. Chair Bids
 - A. One bid was received from Ruth Gjermo for 4 of the cloth covered chairs at \$5.00 each. **MOTION** Anders/Schroeder to accept the bid. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 16, 2005

- B. **MOTION** by Klinger/Anders to recess for 5 minutes to contact Dave Muehl for a bid on the chairs. **MOTION CARRIED 5-0.** Recess from 8:40 to 8:45 P.M. A message was left for Muehl.

Police Chief John Gould arrived.

X. Bike Event Ordinance:

- A. Chairman Hampton presented a draft ordinance modeled after ordinances from other towns west of Madison who have experienced problems with bike events.
- B. Police Chief Gould noted that the town has a Parade ordinance (9.10) and a Public Assembly ordinance (Ch. 19), both of which he felt could use some updating. He suggested rolling them into an Event ordinance to regulate biking events, running events, etc. He referenced a letter to the board dated April 27, 2005 which included issues to address with such an ordinance.
- C. Todd Marcotte, a Stoughton resident representing the Bombay Bicycle Club, stated the club feels permitting that applies specifically to bicycles is discriminatory. If permits were required for every municipality the club rode through, the club would stop sponsoring rides due to the expense. The advantage of club-sponsored rides is that organizers strongly encourage safety and adherence to traffic laws. He stated that he would be accepting of permitting for events requiring police involvement for traffic control, road closures, EMS, etc.
- D. Discussion included questions about how many runners/cyclists constitute an event, possible refundable deposit, enforcement.
- E. **MOTION** by Anders/Klinger to refer the proposed Event ordinance to the Ordinance Committee, instructing them to also look at revising chapters 9.10 and 19. **MOTION CARRIED 5-0.**

- XI. Chair Bids: Dave Muehl called with an offer of \$10.25 each for the remaining 14 cloth covered chairs. **MOTION** by Klinger/Anders to accept the offer. **MOTION CARRIED 5-0.**

- XII. Committee Appointments: Chairman Hampton presented committee appointments for 2005-2006. **MOTION** by Anders/Klinger to approve the appointments as presented. **MOTION CARRIED 5-0.**

- XIII. Budget Amendment – Carryover. The 2004 financial statements prepared by Virchow/Krause showed an end of year general fund balance of \$59,285. The 2005 budget includes a \$40,000 carryover, discussion was where to apply the additional \$19,285.

MOTION by Anders/Schroeder to:

Move \$3140 from 50340 Office Equipment Purchases to 50720 Town Hall Equipment
Place \$535 from the fund balance into 50720 Town Hall Equipment
Place \$5000 from the fund balance to 11030 Sick Leave

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 16, 2005

Leave the remaining \$13,750 as unallocated in the fund balance
MOTION CARRIED 5-0.

- XIV. Emergency Service Building Needs: Chairman Hampton stated that EMS and the Police Department are running out of space. Emergency Service Building needs will be agenda items at both the May 23rd Jt. Fire Department and the June 2nd Joint Board meetings.
- XV. Gordon Flesch Maintenance agreement: The Clerk presented a new annual maintenance agreement for the copy machine. Previously the town was billed monthly on a per copy basis. The new contract will be billed yearly, and includes 12,000 copies with a charge of .0063/each for excess copies. The Clerk does not expect the yearly cost to change significantly compared to monthly billing. **MOTION** by Klinger/Anders to allow the Clerk to sign the new agreement. **MOTION CARRIED 5-0.**
- XVI. Clerk's report: The Clerk presented a preliminary certified survey map for Orlow Johnson which showed a request for a variance allowing the driveway to be only 36 feet wide. Board consensus was to direct the clerk to notify Orlow Johnson that he will need to appear before the town board to request the variance.
- XVII. Board Reports:
- A. Hampton asked for a board member to attend the May 19th County Board meeting to show the Town's support for Huston's C-2 zone change. Either Anders or Schroeder will attend.
 - B. Hampton reported he had a phone call from Jeff Bronkhorst regarding annexation of their property on Hwy. N.
 - C. Hampton reported he had attended a meeting of the Cottage Grove Citizen Association, a proactive group watching issues relating to the schools, Village growth, City of Madison growth.
- XVIII. Committee Reports:
- A. Hampton reported that the Jt. Town/Village plan committee will now meet quarterly unless something comes up in between.
- XIX. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:10 P.M.

Kim Banigan
Clerk

I. The public hearing was called to order by Chairman Hampton at 7:01 P.M. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger.

II. Chairman Hampton read the list of applicants, and the clerk stated that all fees had been paid, all paperwork was in order:

Ball of Fun, LLC d.b.a. Doubledays

| | |
|-----------------------------|---------------|
| Debra Stueber, Agent | |
| 4586 Baxter Road | |
| Cottage Grove, WI 53527 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Cigarettes | \$ 5 |
| Operator's License (3@\$25) | \$ 75 |
| Manager's License (1@\$25) | \$ 25 |
| TOTAL | \$ 705 |

Nora's Tavern, Inc.

| | |
|------------------------------|----------------|
| Todd Kluever, Agent | |
| 1843 HWY 12 & 18 | |
| Deerfield, WI 53531 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Cigarettes | \$ 5 |
| Operator's License (16@\$25) | \$ 400 |
| Manager's License (1@\$25) | \$ 25 |
| TOTAL | \$ 1030 |

JDJ Inc d.b.a. Crossroads Tavern

| | |
|------------------------------|---------------|
| Dawn Guimond, Agent | |
| 3562 CTH "AB" | |
| McFarland, WI 53558 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Cigarettes | \$ 5 |
| Operator's License (11@\$25) | \$ 275 |
| TOTAL | \$ 880 |

Bradt Farms, Inc. d.b.a. Door Creek Golf Course

| | |
|------------------------------|---------------|
| James Bradt, Agent | |
| 4321 Vilas Road | |
| Cottage Grove, WI 53527 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Cigarettes | \$ 5 |
| Operator's License (11@\$25) | \$ 275 |
| Manager's License (2@\$25) | \$ 50 |
| TOTAL | \$ 930 |

Country Corners

| | |
|-----------------------------|---------------|
| Patricia J. Youngs, Agent | |
| 3737 CTH "AB" | |
| McFarland, WI 53558 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Cigarettes | \$ 5 |
| Operator's License (6@\$25) | \$ 150 |
| Manager's License (1@\$25) | \$ 25 |
| TOTAL | \$ 780 |

Bradt Farms, Inc. d.b.a. The Farm at Door Creek

| | |
|-------------------------------|----------------|
| James Bradt, Agent | |
| 4226 Vilas Road | |
| Cottage Grove, WI 53527 | |
| Class "B" Liquor | \$ 500 |
| Class "B" Beer | \$ 100 |
| Reserve Class "B" installment | \$ 1000 |
| Interest payment | \$ 50 |
| TOTAL | \$ 1650 |

III. The Clerk presented the list of applications for operator's and managers licenses, and stated that all fees had been paid, background checks were satisfactory, but two operators license applicants had yet to provide proof of servers certification.

IV. Chairman Hampton asked if there were any comments from the audience. A resident asked why Bradt Farms was applying for a license for The Farm. Chairman Hampton stated that if the license was not renewed, the entire balance of the Reserve Class "B" license would be due. With the renewal, only the \$1000 installment + \$50 interest is due.

V. **MOTION** by Anders/Morrow to close the public hearing. **MOTION CARRIED 5-0.** The public hearing was closed at 7:06 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING – NONMETALLIC MINING PERMITS
JUNE 6, 2005

- I. The public hearing was called to order by Chairman Hampton at 7:15 P.M. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger.
- II. Chairman Hampton read the list of permit applicants, and the clerk stated that all fees had been paid, all paperwork was in order:

Huston Holdings, LLC at:
 1. Gaston Road Quarry
 2. Nora Road Pit
 3. Hwy 12 & 18 and Hwy “N” – “Skaar Pit”
- III. Chairman Hampton asked if there were any comments from the audience. Richard Wood asked what effect the mining operations would have on neighbors, Chairman Hampton explained that all of the applications were renewals for quarries already in operation.
- IV. Dennis Richardson of Huston Holdings, LLC stated that the Gaston Road Quarry would be in operation for approximately 8 more years, the Nora Road pit will be reclaimed by 2011, and the Skaar Pit will be in operation for 5 more years.
- V. **MOTION** by Anders/Klinger to close the public hearing. **MOTION CARRIED 5-0.** The public hearing was closed at 7:17 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 6, 2005

- I. The meeting was called to order by Chairman Hampton at 7:30 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s): **MOTION** by Anders/Klinger to approve the minutes of the regular board meeting on May 16, 2005, with abstention in item II. changed to Klinger and Anders. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #11857 through #11896. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Schroeder to approve the net worth at \$960,823.26. **MOTION CARRIED 5-0.**
 - C. The Treasurer reported that she is still trying to track down the check from Hydrite that was supposed to be used toward a computer for Emergency Government. The Village has said they did not receive it, and she is working with Hydrite to find out if the check was cashed.
 - D. The Treasurer further reported that a delinquent 2004 property tax payer has filed bankruptcy. In February of 2006, she will charge back the school district, county and state. The Town will be out \$1008 including taxes and filing fees.
- IV. Public Concerns:

Ann Schoenemann gave an update on the Friends of the Cottage Grove Library, stating that there will be book sales at the community garage sale and holiday festival, that the Friends group will be officially non-profit in July, and meets on the second Thursday of each month at Taylor Ridge community room. Book donation barrels are not decorated yet. The Library board is still looking for a library site, need at least 3 acres in the Village, looking at a minimum of 8800 sq. ft. building.
- V. Road Right of Way permits:
 - A. **MOTION** by Klinger/Anders to approve Alliant to trench for new underground electric service for 3 lots on Kinney Road. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Schroeder/Anders to approve Verizon to jack & bore and plow for buried telephone service at 2305 Uphoff Road. **MOTION CARRIED 5-0.**
- VI. Landfill update: Chairman Hampton reported that the 5/20/2005 test results showed both gas probes 8 and 9 at .05% methane, and that no response has been received from the Village.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 6, 2005

VII. Approval of Liquor, Managers and Operators Licenses:

- A. **MOTION** by Anders/Klinger to approve Class B licenses as listed below. **MOTION CARRIED 5-0.**

Ball of Fun, LLC d.b.a. Doubledays
Debra Stueber, Agent
4586 Baxter Road
Cottage Grove, WI 53527

JDJ Inc d.b.a. Crossroads Tavern
Dawn Guimond, Agent
3562 CTH "AB"
McFarland, WI 53558

Country Corners
Patricia J. Youngs, Agent
3737 CTH "AB"
McFarland, WI 53558

Nora's Tavern, Inc.
Todd Kluever, Agent
1843 HWY 12 & 18
Deerfield, WI 53531

Bradt Farms, Inc. d.b.a. Door Creek Golf Course
James Bradt, Agent
4321 Vilas Road
Cottage Grove, WI 53527

Bradt Farms, Inc. d.b.a. The Farm at Door Creek
James Bradt, Agent
4226 Vilas Road
Cottage Grove, WI 53527

- B. **MOTION** by Anders/Klinger to approve 5 Manager's licenses as attached. **MOTION CARRIED 5-0.**
- C. **MOTION BY** Anders/Klinger to approve 47 Operator's licenses as attached, with condition that the 2 applicants without server certificates must provide one before their license will be issued. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 6, 2005

- VIII. Approval of Mining Permits: **MOTION** by Schroeder/Klinger to approve Nonmetallic Mining permits as listed below. **MOTION CARRIED 5-0.**

Huston Holdings, LLC at:

1. Gaston Road Quarry
2. Nora Road Pit
3. Hwy 12 & 18 and Hwy "N" – "Skaar Pit"

- IX. Reconsider Jungbluth zone change: Morrow stated that after visiting the site, he is satisfied with the siting of the lot. **MOTION** by Morrow/Klinger to approve zone change from A1-EX to RH-1 for 2 acres. **MOTION CARRIED 5-0.**

- X. Orlow Johnson – Variance for Driveway: **MOTION** by Anders/Schroeder to deny the variance for a 36 foot driveway frontage. **MOTION CARRIED 4-1.** Hampton opposed. Mr. Johnson asked if the board would reconsider if the County approved the variance, consensus was no.

- XI. Viney/Hunter – Change zoning from R-1 to R-3 with variance.

A. The County had recommended that R-3 was the appropriate zoning for Lot 1 (Hunter property) due to setbacks. The board had previously approved it as R-1. **MOTION** by Schroeder/Morrow to correct the zoning from R-1 to R-3 on Lot 1. **MOTION CARRIED 5-0.**

B. **MOTION** by Schroeder/Klinger to approve the variance for the 13.3 height of the existing non-conforming garage on Lot 1. **MOTION CARRIED 5-0.**

C. **MOTION** by Schroeder/Klinger to approve a variance for a maximum of 20 cows on Lot 2. **MOTION CARRIED 5-0.**

- XII. Plan Commission Recommendations:

A. James and Nola Skaar – Nora Road – Section 26 – Zone Change – A1-EX to R-1A for 6-8 acres. Intended Land use for four single family residential lots. **MOTION** by Morrow/Anders to accept the Plan Commission recommendations to approve the rezone from A1-EX to R-1A for creation of 4 residential lots, each lot not to exceed 2 acres, with a shared driveway built to town road specs. All structures shall be sited so as to minimize visual predominance over surrounding landscape, and have a minimum of 35 feet setback from the external most property line for lots 1, 2, 3, and 4. Skaars must identify which 140 acres will be deed restricted to provide the 4 RDU's. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 6, 2005

- B. Roger Korfmacher – 2878 Femrite Drive – Section 29 – Zone Change – A-1EX to RH-2 for 4-6 acres. Intended land use for a single family home. After discussion it was decided the appropriate application would be to R-1A for up to 2 acres for the building site, and A-2(4) for the remainder of the parcel. **MOTION** by Hampton/Anders to refer the amended application back to the Plan Commission. **MOTION CARRIED 5-0.** It was noted that a density study had not yet been received.
- XIII. Speed Limit on West Ridge Road: Marlene Ball asked the board to lower the speed limit on West Ridge Road to 45 m.p.h. due to the current speed limit of 55 m.p.h. being unsafe for the curves in the road. She had obtained signatures from 4 landowners, verbal agreement from another, and had been unsuccessful in reaching the another. Richard Wood, 1965 West Ridge, stated he felt the speed limit should be 45 m.p.h. all the way to Ridge Road. **MOTION** by Schroeder/Klinger to lower the speed limit on all of West Ridge Road to 45 m.p.h. **MOTION CARRIED 5-0.**
- XIV. Sale of Property – 4590 Hwy N – Annex to Village – Jeff Bronkhorst. Mr. Bronkhorst stated that he felt his property would be more appealing to potential buyers if it was annexed into the Village. He stated that the Village plan calls for multi-family residential. The board recommended that Bronkhorst make an application for annexation with the Village and ask to be put on the next joint board meeting agenda.
- XV. Statewide Voter Registration Implementation: The clerk updated the board on the current status of the Statewide Voter Registration System (SVRS), and asked for a decision whether the town should be a self-provider, or hire the county to maintain voter registration data. **MOTION** by Morrow/Anders to direct the Clerk to maintain the Town's voter registration data as a self-provider. **MOTION CARRIED 5-0.**
- XVI. Approve Per Diem and Lunch for Clerk for Clerk's meeting – June 20, 2005: The Clerk asked for approval to attend a SVRS information and training session. **MOTION** by Anders/Schroeder to approve a Per Diem and Lunch for the Clerk to attend the meeting. **MOTION CARRIED 5-0.**
- XVII. Set first meeting date for July 2005: **MOTION** by Anders/Schroeder to hold the first meeting in July on Tuesday, July 5. **MOTION CARRIED 5-0.**
- XVIII. Clerk's report:
- A. Dane County Ordinances: **MOTION** by Anders/Hampton to deny Sub. 1 to Zoning Ordinance Amendment 16, 2004-2005. **MOTION CARRIED 5-0**
- B. The Clerk presented a response from Waste Management to a complaint from a resident of garbage and recyclables being dumped into the same compartment of the truck.
- C. The Clerk shared the proposed final plat for Coyle Highlands, South as provided by the Village.

TOWN OF COTTAGE GROVE
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D. The Clerk presented a list of building permits so far in 2005 as previously requested by Schroeder.

E. The Clerk stated that business cards for board members would cost \$24/250 or \$28/500.

XIX. Board Reports:

A. Anders asked about new chairs for the board.

XX. Committee Reports:

A. Jt. Fire: Klinger reported that painting is not finished, and an estimate is being sought for painting of the exterior of the Emergency Services Building. Future building needs were discussed. Schroeder is the new secretary.

B. LEC: Anders is the new chair. There is still not a new contract for officers, and it has gone to arbitration.

XXI. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:24 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
SITE VISIT – EUGENE SKAAR FARM
JUNE 20, 2005

- I. The site visit convened at 6:30 P.M. with the following present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger, Polly Skaar and Stacy Skaar.
- II. After viewing the three building sites proposed by the Skaar family, consensus was to consider the sites at the July 5, 2005 regular board meeting.
- III. The site visit was concluded at 6:50 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING – NONMETALLIC MINING PERMIT
JUNE 20, 2005

- I. Chairman Hampton called the public hearing to order at 7:04 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger.
- II. Chairman Hampton stated that a Nonmetallic Mining Permit has been applied for by Sun Prairie Sand and Gravel, LLC, at the Hellickson pit on Hwy 12 & 18, and asked if there were any questions.
- III. Noel Johnson asked what exactly could be done with a nonmetallic mining permit. Hampton explained that they could mine sand and gravel out of the ground. He further explained that Sun Prairie Sand and Gravel has filed a reclamation plan with Dane County, and that blasting would require a separate permit with another public hearing.
- IV. Andrew Johnson asked how long the permit was for, and if any expansion was planned. Hampton explained that the permit was good for one year, and that Yahara Materials held a 2004-2005 permit for the same site. No expansion is planned, although portions of the current site have yet to be excavated.
- V. Chad Oistad asked how long before reclamation would occur. Nate Sievers of Sun Prairie Sand & Gravel stated that the site is currently at limits for mining, and there are not current plans to purchase adjacent land or do any blasting. The southern portion is exhausted, the northern portion will continue to be mined at a slower rate than in the past for up to 10 years. The site will be reclaimed to Ag with a retention pond within one year after extraction is complete.
- VI. Noel Johnson expressed concern over dust. Sievers stated that current plans include a 6 foot fence around the site, seeding and mulching of the burms, with trees on the southern burm. The driveway has been asphalted and watering will be done as needed to keep dust down.
- VII. **MOTION** by Schroeder/Anders to close the public hearing. **MOTION CARRIED 5-0.** The public hearing was adjourned at 7:20 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
JUNE 20, 2005

- I. Chairman Hampton called the meeting to order at 7:20 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Schroeder/Klinger to approve the minutes of the regular board meeting on June 6, 2005 as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Schroeder to approve minutes of the Alcohol Licensing and Nonmetallic Mining permit public hearings on June 6, 2005. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #11897 through #11922. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$927,966.69. **MOTION CARRIED 5-0.**
 - C. The Treasurer requested 2nd quarter per diems no later than July 1st, and stated that she is still trying to track down the check from Hydrite that was supposed to be used toward a computer for Emergency Government.
- IV. Public Concerns: NONE
- V. Road Right of Way permits: NONE
- VI. Landfill Update: NONE
- VII. Approval of Mining Permit – Sun Prairie Sand and Gravel, LLC: **MOTION** by Schroeder/Klinger to approve the 2005-2006 Nonmetallic Mining permit for Sun Prairie Sand and Gravel, LLC at the Helickson site. **MOTION CARRIED 5-0.**
- VIII. Recommend to Plan Commission to correct Land Use map for The Farm Golf Course to green space:
 - A. **MOTION** by Schroeder/Anders to direct the Plan Commission to look at the land use map for The Farm Golf Course. **MOTION CARRIED 5-0.**
 - B. Jim and Doug Bradt, owners of The Farm Golf Course, asked why this change is being considered now. Hampton stated that recent events have brought attention to the lack of consistency between the Town and Village plans for the property, and municipalities are encouraged to have similar plans for adjacent areas. He further stated that no decision was being made tonight, just a referral of the matter to the Plan Commission. Before any

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
JUNE 20, 2005

change can be made to the land use map, the Plan Commission and Town Board would each need to hold a public hearing. Jim Bradt stated his disappointment that the Town is not behind Bradt's efforts to develop The Farm. Anders stated that there is no benefit to the Town for the property to be developed as an annexation of the Village.

- IX. Waste Management Customer Survey: Board members jointly completed the survey.
- X. Authorization for Dane County Emergency Management to use Town radio frequencies: **MOTION** by Hampton/Klinger to allow use of the Town's frequencies on the Emergency Command Center Vehicle, with a notation indicating the possibility of being overshadowed by Rock County. **MOTION CARRIED 5-0.**
- XI. Clerk's report:
- A. Dane County Ordinances: **MOTION** by Hampton/Schroeder to deny Ordinance Amendment No. 38, 2004-2005, Amending Chapter 10 of the Dane County Code of Ordinances, providing for crematoriums in business and commercial zoning districts. **MOTION CARRIED 5-0.**
- B. Review of Assessment Roll: The Clerk read through the list of personal property tax roll, and a list of businesses she had compiled that are not on the roll. Discussion added several more businesses to the list, which will be given to the assessor for next year.
- XII. Board Reports:
- A. Smith asked about a proposal by Charles Nahn to determine population density for the purpose of petitioning the WDNR to remove the town from the list of communities requiring storm water permits. Consensus was to consider this at the July 5th meeting.
- XIII. Committee Reports:
- A. Ad Hoc Smart Growth: Anders reported that Monona Tiff #4 includes 8 properties on Monona Drive identified as blighted. Monona equalized valuation grew by 15% commercial last year. A Stark Reality survey shows 90 vacant new homes in Cottage Grove, the committee asked the school to recompute projected growth.
- XIV. **MOTION** by Klinger/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:37 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
JULY 5, 2005

- I. Chairman Hampton called the meeting to order at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Members present: Chairman Kris Hampton, Supervisors Dave Morrow, and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
- A. **MOTION** by Schroeder/Morrow to approve the minutes of the Nonmetallic Mining Hearing, Skaar Farm site visit and regular board meeting, all held on June 20, 2005, as printed. **MOTION CARRIED 3-0.**

Klinger Arrived 7:04 P.M.

- III. Finance Report and Approval of Bills:
- A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #11923 through #11953. **MOTION CARRIED 4-0.**
- B. **MOTION** by Schroeder/Klinger to approve the net worth at \$894,079.99. **MOTION CARRIED 4-0.**
- C. The Treasurer stated that a fire dues payment of \$10,928.63 had been received and deposited.
- D. **MOTION** by Morrow/Klinger to approve second quarter per diems with noted change of 13 per diems to 12 for Morrow. **MOTION CARRIED 4-0.**
- IV. Public Concerns: NONE
- V. Road Right of Way permits: **MOTION** by Schroeder/Morrow to deny application by Verizon to install new line at Vilas Hope and Gala Way at the present time, and to direct Highway Superintendent Smith to contact Verizon to clean up the mess they left from last year on Siggelkow and Femrite. The application will be reconsidered at the July 18th meeting. **MOTION CARRIED 4-0.**
- VI. Landfill Update: Hampton reported test results from June 29, 2005, which showed gas probes 8 and 9 both at zero percent methane.
- VII. Plan Commission Recommendations:
- A. Roger Korfmacher – 2878 Femrite Drive – Section 29 – Zone Change. Roger and son Brian Korfmacher presented the results of a density study of the 117.1 acre farm, which indicates one RDU remaining. Korfmachers questioned whether the inclusion of another 33 acre farm also owned by Roger since 1965 or 1966 would add another RDU. The Board directed them to take this up with the Plan Commission for clarification. Korfmachers asked about the possibility of future LC1 zoning of farm buildings on the south side of

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
JULY 5, 2005

Femrite for their refrigeration business, and were told that would fit with the current plan. They also asked about a future pond in the gravel pit, and were again referred to the Plan Commission. **MOTION** by Morrow/Klinger to accept the Plan Commission recommendation for a rezone of A-1EX to R-1A for up to 2 acres (Lot 2) and A-2(4) for the remainder (Lot 1), with a deed restriction on Lot 1 for no future residential development, road access for Lot 1, and a density study, which has already been provided. **MOTION CARRIED 4-0.**

- B. Kirk Gillespie – 1625 County Road BB – Adjusting Lot Line to Terrain. Discussion centered on a trailer home which was to be removed upon completion of the new home. While it has been removed from Lot 1, it remains on Gillespie’s property. Mr. Gillespie stated his intention is to sell the trailer, although he has so far been unsuccessful. **MOTION** by Schroeder/Hampton to accept the Plan Commission recommendation to adjust the lot line of Lot 1, swapping equal amounts of A-1EX and RH-1 land, with the provision that the trailer be removed from the owner’s property within 6 months. **MOTION CARRIED 4-0.**

- VIII. Rob & Sherri Burke – 4500 Kennedy Road – Variance for setbacks for above ground swimming pool and deck. **MOTION** by Schroeder/Morrow to approve the variance for 7.55 feet for the pool, 1.33 feet for the deck, provided that if the current structure is removed, the variance is no longer valid. **MOTION CARRIED 4-0.**
- IX. Approve the LEC Union Labor Contract: **MOTION** by Morrow/Klinger to approve the June 27, 2005 Tentative Agreement between the Village and Town of Cottage Grove and the Cottage Grove Police Officers association, Wisconsin Professional Police Association, and Labor Enforcement Employee Relations Division. **MOTION CARRIED 4-0.**
- X. Action on site visit to Eugene Skaar to change Town Plan designation. Eugene and Larry Skaar were present. Schroeder stated that after viewing the site, he felt it was not suitable for commercial development, and would like to see the entire commercial designation on County Road MN changed to A1-EX. He further stated that he would like to see the three proposed lots moved to the fence to the south.

Anders arrived 8:05 P.M.

Anders stated he felt the site was not suited to commercial development due to the quantity of dirt that would need to be moved to site a commercial building. Discussion centered on the order to proceed. Eugene Skaar was advised to submit a revised rezone application that included the three 1-acre lots (original application included just one lot), which could be considered by the Plan Commission on July 27th. **MOTION** by Anders/Schroeder to strongly urge the Plan Commission to change the plan for the entire area in the southwest corner of US Highway 12 & 18 and County Road N currently designated as commercial (5) to Ag (1) . **MOTION CARRIED 4-1.** Hampton opposed.

- XI. Dane County Town’s Association Meeting – July 13, 2005 – Schroeder will attend.

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
JULY 5, 2005

- XII. Consider Resolution: Anders read Resolution 2005-07 to Retain Attorney Michael Dean of First Freedoms Foundation to represent the Town of Cottage Grove in *Helgeland et al. v. Dept of Empl. Trust Funds, et al.*, Dane County Case No. 2005CV001265. **MOTION** by Morrow/Klinger to approve the resolution as read. **MOTION CARRIED 5-0.**
- XIII. Urban Area Density for Storm Water Permit – Charles Nahn. **MOTION** by Anders/Schroeder to hire Nahn and Associates to measure the UA density for the Storm Water Permit (phase I) at a cost of \$100 plus travel time. **MOTION CARRIED 5-0.**
- XIV. Tom Miazga – Hydrite Report: Mr. Miazga reported that the barrier pump system is working as designed to block further spread of contamination, and presented supporting data showing concentrations that demonstrate that the plume is not spreading. The University Consortium in Canada will produce two theses this fall which will be submitted to the State with a copy to the Town. The Consortium plans to stay involved for a long time. No effect to groundwater levels has been seen due to the pumping. Three new homes on Uphoff Road have wells installed according to state casing advisory depth. Miazga has worked with Christophs to simplify their plumbing system. Cliff Miller asked if there had been problems with equipment provided to homeowners. Miazga stated that equipment itself has been working well, problems have been aesthetic: odor, high iron. There has been some problems from slime from iron bacteria clogging equipment, which he will continue to deal with.
- XV. Clerk's Report: None
- XVI. Board Reports:
- A. Hampton introduced County Supervisor Dave Wiganowsky, who was in the audience and gave an update on goings on at the County.
- XVII. Committee Reports: None
- XVIII. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:13 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 1, 2005

- I. Steve Anders called the meeting to order at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Other members present: Supervisors David Morrow, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. **MOTION** by Morrow/Klinger to appoint Anders as chair for the meeting. **MOTION CARRIED 4-0.**
- III. Minutes of previous meeting(s): **MOTION** by Schroeder/Klinger to approve the minutes of the July 5, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
- IV. Finance Report and Approval of Bills:
 - A. The treasurer presented the finance report that would have been presented at the July 18th board meeting, which was canceled. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #11954 through #11999, which were issued 07/06 – 07/18. **MOTION CARRIED 4-0.**
MOTION by Schroeder/Klinger to approve the net worth at \$648,439.59 as of July 18, 2005. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12000 - #12030. **MOTION CARRIED 4-0.** The treasurer stated that check #12030 to the Dane County Treasurer for \$496,169.22 will not be released until the week of August 8th in order to accrue more interest, so while the net worth is shown on the report as \$612,163.78, as of today it is actually \$883,867.26. **MOTION** by Schroeder/Klinger to approve the net worth as \$883,867.26. **MOTION CARRIED 4-0.**
 - C. The Treasurer reported that she is researching interest rates, would like to move investment accounts to local banks if interest rates are favorable. She asked if she should seek board approval before actually moving funds, which the board advised her to do.
- V. Public Concerns:
 - A. Dennis Bergren spoke in opposition to Resolution 2005-07, urging the board to withdraw the resolution. He presented a handout containing a bullet list of reasons to repeal the resolution (available in the clerk's office).
 - B. Stefania Sani read a letter (available in the clerk's office) to the board from Karen J. Childs Baker, who was unable to attend the meeting. The letter questioned the board's action in approving Resolution 2005-07.
 - C. Robert Fyrst, Dane County Board Supervisor, presented Resolution 89, 05-06 Supporting Families of State of Wisconsin Employees in Dane County (available in the clerk's office), which he had presented to the Dane County Board in an attempt to ensure that domestic partner benefits to county employees are not threatened by actions by the State. He urged the board to support this resolution, be thoughtful in future actions.
 - D. Anders thanked the speakers for their input. He stated that at issue is that fact that rules dictate health insurance eligibility at all. Sited as an example that blood relatives such as adult children and elderly parents are not eligible for employee health insurance. He further stated that none of the Town Board members are homophobic, and he felt that a public hearing would not have influenced their decision to approve Resolution 2005-07.
 - E. Schroeder stated that he had surveyed town residents in his neighborhood prior to voting on the resolution, and had found none to be in opposition.
 - F. Morrow thanked Mr. Fyrst for his input, and stated he intends to consider what Mr. Fyrst said.

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 1, 2005

Morrow left the meeting room

- VI. Road Right of Way permits: **MOTION** by Schroeder/Klinger to approve application by Verizon to jack & bore and plow at West Ridge and Uphoff road to relocate a pedestal. Since the relocation was requested by the town, there will be no charge for the application. **MOTION CARRIED 3-0.**

Morrow returned

- VII. Landfill Update: Anders reported that the latest test results showed gas probes 8 and 9 both at zero percent methane. He stated that Tina Seybold has expressed concern that earth moving for construction of new homes nearby could shake the strata, cause elevated levels in future tests.

VIII. Plan Commission Recommendations:

- A. Daniel A. Paulson (Duane and Viola Rathert, Owner) – 1979 Rathert Road – zone change – A-1EX to A-2(2) for 2 acres for existing Rathert house and A-1EX to A-2 for 80.12 acres for future building sites. Mr. Paulson presented a proposed CSM showing the three lots with an extension of Rathert Road with a 66 foot right of way and a cul de sac, all at the owner’s expense. **MOTION** by Schroeder/Morrow to accept the Plan Commission’s recommendation to rezone Lot 1 from A-1EX to A-2(2) for 2 acres using the additional RDU available based on continuous ownership since January 1, 1981, rezone lots 2 and 3 from A-1EX to A-2 with deed restrictions for no more RDU’s. The motion also included approval of road improvements and the cul de sac by the Highway Superintendent, and verification of deed restrictions before the CSM is signed. **MOTION CARRIED 4-0.**
- B. Dan Birrenkott – Birrenkott Surveying (Eugene & Ellen Skaar, owners) – Field View Lane – zone change – A-1EX to R-1 for 3 acres. Intended land use to create 3 lots for family members. Larry Skaar represented Eugene Skaar. Mr. Birrenkott was not present. **MOTION** by Schroeder/Morrow to approve the rezone of three acres from A-1EX to R-1 for the creation of three 1 acre lots, with the lots all shifted 66 feet to the south fence line compared to the map presented. The three lots should have notice on their deeds that the remainder of the field is planned for commercial development. Deed restrictions for the RDU’s to come from the Skaar home farm. Rezone is pending plan amendments currently under consideration. **MOTION CARRIED 4-0.**
- C. Karen Ehlenfeldt property at the end of Gala Way – CUP for a single family with mother living in separate quarters. **MOTION** by Anders/Schroeder to approve the CUP. **MOTION CARRIED 4-0.** Note that all board members thought the County’s CUP requirement in this case was ridiculous.

- IX. Discuss/Action – Road off Nora Road for Jim Skaar’s 4 lots. Eric Sandsness of Royal Oak Engineering presented a map of the lots. Discussion about the shared driveway, what to do with it if future plans for further development extending to Skaar road are carried out. Thoughts were that it should be paved, that a portion should be removed once a town road connects it to Skaar Road so it cannot be used as a shortcut. **MOTION** by Schroeder/Morrow to table until the August 15th board meeting. **MOTION CARRIED 4-0.**

- X. Assessor Bids. Anders stated that two bids have been received:

| | |
|--|-------------------------|
| Associated Appraisal Consultants, Inc. | Accurate Appraisal, LLC |
| 2006 Maintenance \$8300 | 2006 Maintenance \$8300 |
| 2007 Maintenance \$8500 | 2007 Maintenance \$8500 |
| 2008 Maintenance \$8700 | 2008 Maintenance \$8700 |

MOTION by Morrow/Schroeder to accept Associated Appraisal’s Maintenance Services Proposal for 2005-2007. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 1, 2005

- XI. Attendees for Trail Connection – August 18, 2005. No board members are available to attend.
- XII. Discuss/Consider/Action on Village of Cottage Grove’s request for a joint feasibility study of current and future building needs. Anders stated that a study would be premature until Deerfield EMS plans are known. Klinger stated that the Joint Fire Department Committee had asked for a feasibility study to be discussed at the next Joint Town/Village Board meeting. No action was taken.
- XIII. Discuss/Consider/Approve changes to the 15.15.1 policy regarding oversized residential lots usage of TDR’s or not. Morrow recused himself from the board, and took a seat in the audience. He stated his case for adding flexibility to the TDR policy to allow the Plan Commission to grant a variance to based on specific circumstances, specifically in his case of dividing an oversized lot that is within a platted subdivision without the need to purchase a TDR. **MOTION** by Anders/Klinger to amend chapter 15.15.1, Transfer of Development Rights Policy, with the language as presented by the Plan Commission and Town Attorney. **MOTION CARRIED 3-0.**

Morrow returned to his seat.

- XIV. Clerk’s Report:
 - A. Dane County Ordinances – NONE
 - B. Safe Harbor is planning a motorcycle ride that will pass through the town on August 27th.
 - C. The Wisconsin Rugby Club has applied for a temporary Class “B” license for a rugby tournament on August 13th.
- XV. Board Reports: NONE
- XVI. Committee Reports:
 - A. Special Plan Meeting: Anders reported that Mr. Dick Barrows had suggested altering TDR parameters for better participation.
 - B. Emergency Government: Schroeder reported the committee is working on changing the book.
 - C. Jt. Fire: Klinger reported that exterior painting of the Emergency Services Building would occur the third week of August using a zinc-based paint for durability.
- XVII. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:53 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 15, 2005

- I. Chairman Kris Hampton called the meeting to order at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Other members present: Supervisors David Morrow, Steve Anders, Virgil Schroeder and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s): **MOTION** by Klinger/Anders to approve the minutes of the August 1, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0-1.** Hampton abstained.
- III. Finance Report and Approval of Bills:
- A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12031 through #12070. **MOTION CARRIED 5-0.** **MOTION** by Anders/Klinger to approve the net worth at \$589,759.59. **MOTION CARRIED 5-0.**
- B. The Treasurer reported that a check for around \$300,000 is expected from Dane County sometime next week.
- C. Hampton reported that a check was received today from Soleil Development Company for there second of three yearly installments on seal coating of W. Ridge road prior to annexation.
- D. The Treasurer reported that based on her interest rate research, she is most impressed with the Bank of Sun Prairie due to both favorable rates and customer service. She is considering moving investment funds there. Board consensus was to move the funds to the bank with the best rate as long as it is on the Town's approved list of financial institutions.
- E. Hampton reported that John Holtan of Associated Appraisal Consultants, Inc. has received a personal property report from America's Best Flowers.
- IV. Public Concerns:
- A. Penny Andrews, Town Liaison to the Library Board, reported that Lisa Selje has been hired as Interim Library Director. A location behind Wisconsin Community Bank has been selected for the library, and the building size has been increased to 15,000 sq. ft.
- B. Ann Schoenemann from the Friends of the CG Library reported that the recent book sale will net \$500 for the capital campaign. There will be two book sales per year, and space is needed to store books between sales. Plants from the Gaston School garden will also be sold to benefit the library.
- V. Road Right of Way permits: **MOTION** by Anders/Schroeder to approve two applications by Alliant:
1. 4714 Ridge Road: jack & bore and trench for new electric service.
 2. 3733 Janelle Lane: jack & bore and trench for new gas service.
- MOTION CARRIED 5-0.**
- VI. Landfill Update: Tina Seybold of Strand Associates presented graphs summarizing landfill monitoring results through July (Appendix 1-Available in Clerk's Office).
- A. Groundwater test results (MW-1 thru MW-4) VOC concentrations were all below standards, and may even be attributable to lab variation.
- B. Private Water Supply wells (P-1, P-10) had no detections.

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 15, 2005

- C. Groundwater Elevations are down, as would be expected due to recent draught. Flow is South to Southwest, which is consistent with previous observations.
 - D. Gas Vent Wells within the landfill (GV-1, 2, 3) are showing methane, as they should be. Hampton asked if she is satisfied with the vents, she is. Turbines on top are aiding in gas flow.
 - E. Gas Monitoring Probes: GP1 showing 20-30% methane, little oxygen. GP2 showing little detectable methane, some oxygen. These are as expected. GP 3-7, across from landfill, showing very minor detections. GP 8 & 9, close to landfill and historically higher, have had barely detectable levels.
 - F. In response to a question by Anders, Seybold stated that the berm constructed for new houses on Graham Paige would not be expected to have any influence on the landfill.
 - G. Monitoring data is submitted quarterly to the DNR, and the DNR has not voiced any concerns.
 - H. The new house at 3670 Graham Paige will be added to the list of those notified of monitoring results. Hampton will hand deliver the report the first time.
 - I. Seybold also presented a document (Available in Clerk's Office) describing the stages a landfill goes through, and stated that the landfill is currently in Phase IV, with pocket possibly in phases III and V. Settlement of a landfill generally occurs in the first 10 years.
- VII. Joint driveway off Nora Road for Jim Skaar's 4 lots. Eric Sandsness of Royal Oak Engineering presented a revised survey map of the lots, and a draft joint driveway agreement. Hampton presented a letter from Town Engineer Warren Meyers regarding construction of the joint driveway and suggesting there should be two ways in and out for the new homes. Much discussion over whether the joint driveway should be built to county standards so it could be a town road in the future, or built as shown on the map and abandoned when future development reaches Skaar Road. Jim Franke of 1677 Nora Road stated that the notice he received from Dane County was the first he had heard of the proposed lots. His parcel is not directly adjacent to the proposed lots, but Steve Fehringer's parcel at 1703 Nora Road is adjacent, and he also stated he had not received notice from the Town until he received an agenda for this meeting. **MOTION** by Morrow/Anders to table the discussion until the next Town Board meeting to allow the neighbors to collect more information, and to direct Mr. Sandsness to meet with Meyers regarding siting and construction of the joint driveway. The Town Board will meet with Sandsness and Meyers at 6:15 P.M. at the proposed site of the joint driveway on Nora Road prior to the next Town Board Meeting. **MOTION CARRIED 5-0.**
- VIII. Skip to I: Select date for first meeting in September. Board consensus was to move the meeting to Tuesday, September 6th at 7:00 P.M. due to Labor Day.
- IX. CSM – John Copenhaver – Vilas Road: **MOTION** by Schroeder/Hampton to approve CSM (office map #15331) as presented. **MOTION CARRIED 5-0.** The original CSM was not available for the clerk to sign at this time.
- (Morrow left the table briefly)
- X. CSM – Donald & Marilyn Viney – Kinney Road: **MOTION** by Schroeder/Anders to approve the CSM as presented. **MOTION CARRIED 4-0-1.** (Morrow abstained). The clerk signed the CSM.
- XI. CSM – Donald & Marilyn Viney (Grove Acres, LLC, Owner) – 2234 and 2236 Hwy 12 & 18: **MOTION** by Anders/Schroeder to approve the CSM as presented. **MOTION CARRIED 5-0.** The clerk signed the CSM.
- XII. Farm Income Review Application for Wilmer Larson: **MOTION** by Schroeder/Klinger to approve Farm Plan #fp-142 as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
AUGUST 15, 2005

- XIII. Operator's License for Sarah Schimelpfenig: **MOTION** by Klinger/Hampton to approve operator's license. **MOTION FAILED 2-2-1.** Anders and Schroeder opposed, Morrow abstained. **MOTION** by Schroeder/Klinger to approve the operator's license on the condition that Schimelpfenig report to the board at the first meeting in January, 2006 with an update of her violation status. **MOTION CARRIED 4-1.** Anders opposed.
- XIV. Discuss/Consider sale of outlot in American Heritage – Gary Powers. Discussion regarding zoning of parcel – currently non-conforming A-1. Consensus was to stipulate that upon sale it must be incorporated into owner's lot. The Town should waive rezoning fees and petition Dane County to waive fees on buyer's behalf. Hampton will contact the assessor for advice on value of the parcel, and let Mr. Power's know the asking price before the next Town Board Meeting.
- XV. Discuss/Consider letter to City of Madison Department of Planning and Development regarding possible boundary agreement: Consensus was to table until next meeting.
- XVI. Clerk's Report: Dane County Ordinances:
- A. Ordinance Amendment No. 7, 2005-2006 – Amending Chapter 12, Exempting public school districts from zoning fees. The Town Board has no say in amending Chapter 12.
 - B. Ordinance Amendment 10, 2005-2006 – Amending Chapter 75, Revising Land Division and Subdivision Regulations. **MOTION** by Hampton/Anders to approve amendment. **MOTION CARRIED 5-0.**
- XVII. Board Reports: NONE
- XVIII. Committee Reports:
- A. ETZ Committee: Hampton reported that the committee met on August 8th, Hampton is Chair, Jack Henrich is secretary. Trying to get Slavney for the next meeting on September 12th, have contacted the Town of Westport for a copy of their zoning document and somebody from their committee to possibly attend a meeting.
 - B. Jt. Fire: A bill has been sent to Dodge County Local Emergency Management for July 19th fire at Watertown Tire Recyclers, LLC.
- XIX. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 10:08 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
SEPTEMBER 6, 2005

- I. Chairman Kris Hampton called the meeting to order at 6:15 P.M. on Nora Road. It was determined a quorum was present. Other members present: Virgil Schroeder and Mike Klinger. Dave Morrow arrived at 6:25 P.M. Also present was Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Town Engineer Warren Myers, Jim and Nola Skaar, Eric Sandsness of Royal Oak Engineering, Elery Jenson, and neighbors of the proposed lots.

- II. Sandsness presented the latest map of the joint driveway for Jim and Nola Skaar's proposed 4 lots, which is shown entering Nora Road at the crest of the hill. Myers stated his opinion that a through street was necessary for public safety, and urged the board to take a long range perspective. Neighbors Steve Fehringer and Brett Johnson asked several questions of Myers and Sandsness. While the latest map gave best site distance for the driveway, neither the Skaar's, the neighbors, nor the board members were much in favor of it due to the course of the driveway. Another map showed a proposed development of 10 lots on a cul-de-sac going south from Skaar Road. A discussion was held about whether the Skaar's would want to change their petition, either to develop all 10 lots as a subdivision, or start with 4 lots but move them from the originally proposed location to a cul-de-sac south from Skaar Road.

- III. Hampton adjourned the meeting at 6:45 to move to the Town Hall.

- IV. Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Mike Klinger, Dave Morrow and Steve Anders. Also present were Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Engineer Warren Myers. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.

- V. Minutes of previous meeting(s): **MOTION** by Schroeder/Morrow to approve the minutes of the August 15, 2005 Regular Board Meeting as presented. **MOTION CARRIED 5-0.**

- VI. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Anders to approve payment of bills corresponding to checks #12071 through #12128. **MOTION CARRIED 5-0.**

 - B. **MOTION** by Anders/Klinger to approve the net worth at \$869,657.82. **MOTION CARRIED 5-0.**

- VII. Public Concerns: NONE

- VIII. Road Right of Way permits: **MOTION** by Anders/Klinger to approve three applications by Alliant:
 - 1. 2260 Uphoff Road: jack & bore and trench for new electric service.
 - 2. 4544 Bonnie Avenue: jack & bore and trench for new gas service.
 - 3. 2603 Gladeview Road: trench for new gas service

MOTION CARRIED 5-0.

B. Landfill Update: NONE

IX. Plan Commission Recommendations:

A. Kathleen Bollig – 3333 Field View Lane – zone change – R-2 to R-1 for 2.5 acres to create Lots #2 and #3 to grant variance from TDR Policy. Intended land use to create two lots for the current owners' daughters to build single family home. **MOTION** by Anders/Klinger to accept the Plan Commission's recommendation to grant a variance from the TDR Policy and approve the zone change from R-2 to R-1 for 2.5 acres. **MOTION CARRIED 5-0.** The following reasons were included in the Plan Commission recommendation to support granting of the variance:

1. Lot was in existence prior to 1981
2. Lot has been zoned residential since creation
3. Lot is among a cluster of 3 or more existing residential homes
4. Lot is greater than 2 acres
5. Lots are designated in residential district
6. Proposed lot sizes are consistent with neighboring lots

B. Recommended by Dane County Zoning Uses and Restrictions for Door Creek LLP zone change: **MOTION** by Klinger/Anders to accept the Plan Commissions recommendation to accept the changes outlined in the August 10, 2005 letter to Dennis Olson from the zoning administrator, with the addition that parking and storage of motor vehicles be associated with an active business on the premises. **MOTION CARRIED 5-0.**

X. Daniel Mungovan – 2870 Busston Road – Second Driveway for Garage. Mr. Mungovan presented a drawing showing where the new driveway would go. Highway Superintendent Smith stated that a culvert would be needed. **MOTION** by Anders/Klinger to approve the second driveway. **MOTION CARRIED 5-0.** Mr. Mungovan was directed to obtain a driveway permit from Smith.

XI. CSM for Orlow & Lorraine Johnson – Deerfield Road: Steve Johnson and Dave Riesop appeared with Mr. Johnson. **MOTION** by Schroeder/Klinger to have a notation added to the CSM dedicating the 33' x 66' road right-of-way at the end of the driveway to the Town. Once the notation has been made, the Clerk is authorized to sign the CSM. **MOTION CARRIED 5-0.**

XII. CSM for M. Krueger – Susan Lane: **MOTION** by Anders/Morrow to approve the CSM as presented on map 3120-05. **MOTION CARRIED 5-0.**

XIII. Liza Lightfoot – Avant Gardening – Annual Charitable Fundraising Event: Ms. Lightfoot presented an invitation for an event to be held on October 8th to raise money for Kidlinks World, which benefits health and education for children. The event would be by invitation only to around 100 people, and would include a bike ride of 10-15 riders and barn dance. Parking would not spill over onto town roads, and no additional exterior lighting would be used. **MOTION** by Schroeder/Morrow to support the October 8th Kidlinks fundraiser. **MOTION CARRIED 5-0.** Ms. Lightfoot was asked to inform the Clerk of the bike route and approximate number of riders.

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
SEPTEMBER 6, 2005

- XIV. Consider sale of outlot in American Heritage – Gary and Barbara Powers: Hampton opened a written offer of \$2000 for Outlot 6. The board countered with \$3000, which was agreed upon by the Powers. The Powers asked about putting a garage on the outlot, and the board told them that it could not impede any waterway. Attaching the outlot to their current lot would allow them to build right to their current lot line. **MOTION** by Anders/Klinger to accept the offer of \$3000 for Outlot 6, the Powers need to have a survey for a new CSM to attach the outlot to their current lot, and a bill of sale will be drawn up by the Town Attorney at the Town's expense. **MOTION CARRIED 5-0.**
- XV. Discuss/Consider Town Contribution for turn around in Hubred Lane – Kyle Klawetter: Mr. Klawetter is having his driveway black topped by Bartelt Enterprises out of Oregon. Since Hubred Lane has no adequate turn around, the Garbage truck backs into the Klawetter driveway to turn around, and Mr. Klawetter does not want this to break up his new black top. At an estimated cost of \$1500, the edge of the driveway can be widened and the base thickened to support the garbage truck. **MOTION** by Schroeder/Klinger for the Town to contribute up to \$1500 toward the black top work on Hubred Lane. **MOTION CARRIED 5-0.**
- XVI. Joint driveway off Nora Road for Jim Skaar's 4 lots. Eric Sandsness of Royal Oak Engineering, Jim and Nola Skaar, Elery Jensen, and neighbors Steve Fehringer and Jim Franke were present. The Skaars amended their petition a rezone for 4 lots on the east side of a cul-de-sac going south from Skaar Road. **MOTION** by Hampton/Anders to approve a rezone from A-1EX to R-1A for 4 lots on the east side of a cul-de-sac coming south from Skaar Road. The entire cul-de-sac to be constructed, with black top only to the end of the 4 lots, and the rest remaining gravel. The west end of Skaar would need to be vacated, with a quit-claim deed transferring ownership from Skaars to the landowner at the end of Skaar Road. The cul-de-sac would become part of Skaar Road. **MOTION CARRIED 5-0.**
- XVII. Urban Storm Water Permit: Results of the study by Nahn and Associates indicate that the population density is below the 500 threshold for requiring an Urban Storm Water Permit. **MOTION** by Schroeder/Morrow to hire Nahn and Associates at a cost of approximately \$400 to petition the DNR to exempt the Town of Cottage Grove from the Urban Storm Water Permit requirement based on the study results. **MOTION CARRIED 5-0.**
- XVIII. Discuss/Consider letter to City of Madison Department of Planning & Development regarding City's draft comprehensive plan: Hampton presented a draft letter requesting a meeting with City Planners. **MOTION** by Anders/Morrow to send the letter as presented. **MOTION CARRIED 5-0.**
- XIX. Discuss/Consider Resolution Approving the Proposed New Agreement on the Composition of the Policy Board of the Metropolitan Planning Organization for the Madison Urbanized Area. **MOTION** by Hampton/Anders to approve Resolution 2005-08. **MOTION CARRIED 5-0.**
- XX. Discuss/Consider DCTA recommendation for replacing the Regional Planning Commission: No action taken.
- XXI. Consider Res. 81, 05-06 – Dane County will not condemn Homes for Private Developers: **MOTION** by Schroeder/Morrow to support Res. 81, 05-06. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
SEPTEMBER 6, 2005

- XXII. Discuss/Consider 2006 Wisconsin Comprehensive Planning Grant Application: **MOTION** by Morrow/Schroeder to take no action on the application. **MOTION CARRIED 5-0.**
- XXIII. Attendees for Wisconsin Town's Association Convention – October 16-19, 2005 – Stevens Point: Hampton and Klinger will attend.
- XXIV. Attendees for 2006-07 Town Road Improvement Meeting, Sept. 13, 2005m 10:00 A.M. **MOTION** by Schroeder/Morrow to send the Chair. **MOTION CARRIED 5-0.**
- XXV. Clerk's Report: None.
- XXVI. Board Reports: NONE
- XXVII. Committee Reports:
- A. Jt. Fire: Klinger reported that painting of the exterior of the ESB was started today.
 - B. Anders reported that several members of the Fire Department had attended the LEC meeting to discuss the festival.
- XXVIII. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:00 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
SEPTEMBER 19, 2005

- I. Chairman Kris Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Mike Klinger, and Steve Anders. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Klinger/Anders to approve the minutes of the September 6, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Anders to approve payment of bills corresponding to checks #12129 through #12166. **MOTION CARRIED 4-0.**
 - B. The treasurer pointed out that the balance sheet includes a new Money Market Contingency Fund (Account Number 11030) which is now at the Bank of Sun Prairie. **MOTION** by Anders/Klinger to approve the net worth at \$696,933.67. **MOTION CARRIED 4-0.**
 - C. The treasurer asked that 3rd quarter per diems be turned in to her no later than September 30th.
- 7:10 P.M. – Attorney Greg Murray arrived.
- IV. Public Concerns: NONE
- V. Road Right of Way permits: **MOTION** by Anders/Klinger to approve an application by Verizon to plow parallel to right-of-way at Deerfield Road and South Jargo Road for buried telephone service. **MOTION CARRIED 4-0.**
- VI. Landfill Update: NONE
- VII. Municipal Judge Beth Gilpin – Report on court community service program. Gilpin explained a program whereby first time underage drinking violators are sentenced to completing a CPR course. A \$30 fee covers the cost of a CPR book, processing fee and certification. Certified CPR instructors from the American Heart Association teach the course at no charge. Gilpin stated that since she has not had much response from the local community to her requests for community service projects, she has also sentenced violators to help at St. Stephens Food Pantry in Monona. She encouraged those present to submit any public works needs as a note in her mailbox to be considered for future community service projects.
- VIII. Vacation Resolution for American Heritage Outlot 6: Attorney Murray described the court process necessary to vacate Outlot 6 as a public ground, estimating that it will take 45-60 days at a cost of around \$1500. The Powers are aware of the required process. Murray presented a letter he will ask them to sign that outlines the terms and conditions of the sale. Discussion was whether to vacate Outlot 2 at the same time. **MOTION** by Anders/Klinger to proceed with the court process to vacate both Outlots 6 and 2. **MOTION CARRIED 4-0.**
- IX. Amend Town Contribution for construction on Hubred Lane – Kyle Klawetter: Mr. Klawetter presented a new estimate at \$1659, which exceeds prior board approval by \$159. **MOTION** by Klinger/Anders to amend the Town's contribution to \$1659 toward the black top work on Hubred Lane. **MOTION CARRIED 4-0.** Klawetter stated that the work will be performed around the first of October, and asked that the Town notify Waste Management not to turn around in the new driveway while the black top is fresh, but then to turn around in the new driveway in the future since it is constructed for their purpose.
- X. Budget Amendment 2005-3: The intention of the amendment was to move funds from Highway Maintenance to Parks to black top another park this year. After discussion, it was decided that given current fuel prices, additional funds may be needed for fuel this year, and no action was taken on the budget amendment.

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
SEPTEMBER 19, 2005

- XI. Traffic on Sandpiper Trail: Anders reported on a Village Plan Commission meeting he attended where plans for a three 22-unit buildings at the corner of Sandpiper and Hwy BB were discussed. He stated the Town must take some action to discourage traffic on Sandpiper, since construction trucks and new residents will quickly figure out it is much quicker to take Sandpiper to Gaston to N rather than driving 25 m.p.h. through the Village. He suggested table tops and permanent weight limits as possible solutions. It was suggested that input be gathered from residents on Sandpiper Trail at a future meeting.
- XII. Letter to resident on Burve Road: Hampton asked for the Board's approval of a draft letter to Claude Frickelton on Burve Road regarding a dispute over a permit for a second driveway. **MOTION** by Klinger/Anders to approve the letter with a correction to a typo. **MOTION CARRIED 4-0.**
- XIII. DSL Internet service for the Town Office: The clerk had prepared a summary of the specifications and economics of switching from the current dial-up system to DSL, and stated that a high speed internet connection would be needed for the new Statewide Voter Registration System. **MOTION** by Anders/Klinger to approve DSL Internet service for the Town Office. **MOTION CARRIED 4-0.**
- XIV. Attendee(s) for Dane County Town's Association Meeting – September 29, 2005 at the Town of Westport. **MOTION** by Schroeder/Klinger to send the Chairman. **MOTION CARRIED 4-0.**
- XV. Date for second Town Board Meeting in October: Hampton and Klinger will be at the WTA convention on the regularly scheduled date. **MOTION** by Schroeder/Klinger to hold the meeting on October 19, 2005. **MOTION CARRIED 4-0.**
- XVI. Set dates for 2006 Budget Workshops. The following dates were selected:
Wednesday, October 12th; Thursday, October 13th; Thursday, October 27th, all at 7:00 P.M.
Friday, October 28th at 12:30 P.M.
Labor Negotiations will be held at 7:00 P.M. on Wednesday October 12th.
- XVII. **MOTION** by Klinger/Anders to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STATS. §19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning strategy to be adopted with respect to landfill litigation. **ROLL CALL VOTE – SCHROEDER – AYE, ANDERS – AYE, HAMPTON – AYE, KLINGER AYE.** Moved to closed session at 8:37 P.M.
- XVIII. **MOTION** by Klinger/Anders to reconvene to open session . **ROLL CALL VOTE – SCHROEDER – AYE, ANDERS – AYE, HAMPTON – AYE, KLINGER AYE.** Reconvened to open session at 9:00 P.M.
- XIX. Clerk's Report: None.
- XX. Board Reports: Hampton reported on the Local Road Improvement Program meeting that he and Smith attended on September 13th. Hampton was selected as Vice-Chair of the TRIP Steering/Project selection committee. Smith will complete the grant application.
- XXI. Committee Reports: None
- XXII. **MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:10 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
OCTOBER 3, 2005

- I. Chairman Kris Hampton called the meeting to order at 7:02 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders, Dave Morrow and Mike Klinger.. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Anders to approve the minutes of the September 19, 2005 Regular Board Meeting as presented. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Schroeder/Klinger to approve the minutes of the September 19, 2005 Closed session with a correction to the motion in I. to Klinger/Anders. The motion was also to keep the minutes closed until the matter is resolved. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12167 through #12212. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$679,152.69. **MOTION CARRIED 5-0.**
 - C. **MOTION** by Klinger/Morrow to approve third quarter per diems as presented. **MOTION CARRIED 5-0.**
- IV. Public Concerns:
 - A. Ann Schoenemann of the Friends of the Cottage Grove Community Library updated the board on recent and upcoming events relating to fundraising and planning for the proposed new library.
 - B. Penny Andrews, Town liaison to the Library Board, invited the Board to a Library Tour on October 29th from 8:00 A.M. to 5:00 P.M.
- V. Road Right of Way permits: NONE
- VI. Landfill Update:
 - A. Hampton reported that the September 27th test results showed .05% methane on gas probe 8, 0% methane on gas probe 9. He further reported that Tena Sebold of Strand Associates told him that carbon dioxide had been detected in groundwater tests close to the mass. Sebold did not know what to attribute the carbon monoxide to – possibly dry conditions.
 - B. Hampton presented the Agreement for 2006 Services as drafted by Strand Associates, Inc. and stated that Attorney Connie Anderson is satisfied with it. **MOTION** by Schroeder/Morrow to approve the agreement with Strand Associates, Inc. to monitor the landfill in 2006. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR TOWN BOARD MEETING
OCTOBER 3, 2005

- VII. Skip to agenda item III. B. Holding Tank Agreement for Louisa Murphy – 3368 Ridge Road: **MOTION** by Schroeder/Morrow to approve the holding tank agreement. **MOTION CARRIED 5-0.**
- VIII. EMS Budget: The Board reviewed the 2006 EMS Budget as proposed by the EMS Commission. EMS Director Jess Robinson was phoned and arrived at 7:52 P.M. After discussion primarily in regards to the proposed hiring of a new EMS staff member in July, the Board directed Robinson to resubmit the budget with two new alternatives:
1. No new hire in 2006
 2. New hire in October of 2006
- IX. **MOTION BY MORROW/ANDERS TO MOVE INTO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(g)** for the purpose of conferring with legal counsel who is rendering oral or written advice concerning strategy to be adopted with respect to landfill litigation. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED UNANIMOUSLY.** Moved into closed session at 8:22 P.M.
- X. **MOTION** by Morrow/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED UNANIMOUSLY.** Reconvened to open session at 8:29 P.M. There was no action as a result of the closed session.
- XI. Clerk's Report: The clerk reported on training she had recently attended for SVRS, and informed the board that DSL internet service was now in place at the town office.
- XII. Board Reports:
A. Hampton presented a summary description of the options for RPC replacement. He also reported that he had sent a letter to County Supervisor Rich Pertzborn asking him to draft a memorial resolution for Eugene Skaar, as well as asking him the status of the Capital Underground rezone.
B. Smith asked if the board was still in favor of a handicapped parking space at Flynn Hall being on the street – the board indicated that was their preference.
- XIII. Committee Reports: None
- XIV. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:50 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
SPECIAL TOWN BOARD MEETING
OCTOBER 4, 2005

- I. Chairman Kris Hampton called the meeting to order at 4:04 P.M. at the Town Hall. Other board members present were Virgil Schroeder and Dave Morrow. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Also present were City of Madison Planners Brad Murphy and Michael Waidlich, Clerk Kim Banigan and Town Attorney Connie Anderson. Steve Anders arrived at 4:08 p.m. and Mike Klinger arrived at 4:10 p.m.
- II. Hampton began by asking the City planners what they had in mind for community separation. Murphy and Waidlich presented map 2-4 (the City will send us our own copy of this map) showing peripheral planning areas, and indicated area F which they suggested could be an urban separation area where the municipalities could agree that no development would occur. When conservation subdivisions were brought up for the area, Murphy stated that they would probably be considered 40% development by the City Plan Commission, and they would probably prefer 0% development.
- III. Hampton asked if the City would be interested in purchasing any TDR's. Murphy stated that was something that could be considered, possibly a transfer from area F to area D on the map, where the City is most interested in developing. Waidlich stated that cost could be an issue, as TDR's in area F could be considered quite valuable.
- IV. Attorney Anderson suggested the formation of an ETZ in that area so that a well thought out plan could be developed, possibly including a ratio for TDR's.
- V. Anders asked about infill to existing subdivisions. Murphy stated that the City Plan Commission was tending to be very strict in their determination of infill, and that while the splitting of lots within the perimeter of existing subdivisions was not a problem, development of adjacent areas would most likely not be considered infill, but instead be viewed as a constraint to what might be done in the future. Murphy agreed to send the Town a copy of the City's infill ordinance.
- VI. Anders asked if the City Plan Commission only considers Madison services in making ETJ determinations, or if it also considers services available from other municipalities. Murphy suggested talking to City planning staff early in the approval process to find out how it relates to the plan for the area around it.
- VII. Hampton asked how to start the process to come up with a boundary agreement – is the City interested or not? Murphy stated that an agreement between the City, the Town and the Village for an area of community separation is a possibility, and he indicated that since he has spoken recently with Village Planner Mike Slavney, he is now open to a meeting of all three at once. He will contact Slavney to try to set a date for all three to meet.
- VIII. Murphy and Waidlich left at 5:23 P.M.
- IX. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 5:25 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
October 12, 2005

- I. The meeting was called to order by Chairman Hampton at 7:00 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Other board members present: Supervisors Steve Anders, Virgil Schroeder, and Mike Klinger. Dave Morrow arrived at 8:00 P.M. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Road Patrolmen Norm Schmelzer, Rolland Schutz and Steve Querin-Schultz.
- II. **MOTION** Schroeder/Anders to move to closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0.**
- III. Highway Superintendent Smith asked for a 3% wage increase for the Highway Department, everything else to remain the same. **MOTION** by Hampton/Klinger to grant the Highway Department a 3% wage increase for 2006. **MOTION CARRIED 4-0.**
- IV. Sick Leave: Hampton asked Smith to report the amount of sick leave for the end of the year.
- V. Other wages for 2006: See Appendix A 2006 Labor Negotiation Agreement
- VI. **MOTION** by Anders/Schroeder to reconvene to open session. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0.** Open session was reconvened at 7:27 P.M.
- VII. Other areas of discussion included: Revenues, Capital Outlays, Debt Service, General Government, General Administration, General Building Town, Judicial and Legal, Legislative, Insurance, Health & Human Services, EMS, Fire Protection, Inspections and Highway Maintenance.
- VIII. **MOTION** by Morrow/Schroeder to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:56 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
2006 LABOR NEGOTIATION AGREEMENT

Appendix A

I. Road Patrolmen Salaries:

| Employee | Hourly Wage | Overtime Pay |
|----------------------|-------------|--------------|
| Jeff Smith | \$ 22.52 | \$ 33.77 |
| Rolland Schutz | \$ 21.28 | \$ 31.92 |
| Norman Schmelzer | \$ 21.28 | \$ 31.92 |
| Steve Querin-Schultz | \$ 21.28 | \$ 31.92 |

Overtime will be used as required and is paid at the rate of time and one-half.
A 12 % bonus is placed in a deferred compensation plan for all hours worked.

In addition, coveralls and gloves will be provided for Road Patrolmen for town use.

II. Vacations, Holidays, and Sick Leave:

| Employee | Starting Date |
|----------------------|---------------|
| Jeff Smith | June, 1973 |
| Rolland Schutz | April, 1979 |
| Norman Schmelzer | April, 1981 |
| Ruth Gjermo | May, 1981 |
| Steve Querin/Schultz | May, 1998 |

Vacation is earned as follows:

| Years of Service | Time Earned (Weeks) |
|------------------|---------------------|
| 1-5 | 2 |
| 6-10 | 3 |
| 11-14 | 3 weeks + 2 days |
| 15-20 | 4 |
| 21+ | 5 |

Vacation may be carried over, but not in an amount to exceed 40 hours. All carryover vacation must be used by June 30 of the following year.

HOLIDAYS:

Full Days: New Year's Eve, New Year's Day, Memorial Day, July 4, Labor Day, Thanksgiving, Day After Thanksgiving, Christmas Eve and Christmas Day.

Personal Holiday: One and 1/2 day per year as requested. This cannot be carried over.

SICK LEAVE: 1 day per month, to be used as necessary. Management will reserve the right to request medical verification. Accumulated sick leave will be paid out at 50% without a cap upon termination or retirement.

DEATH IN IMMEDIATE FAMILY:

Permanent employees shall be allowed three (3) consecutive work days leave with pay in the event of the death of such employee's mother, father, spouse, children, mother-in-law or father-in-law, grandparents, brother, sister, brother-in-law, sister-in-law, son/daughter-in-law, grandchildren or member of alternative family.

Additional leave may be granted at the discretion of a Town Board Member, and such leave shall be charged against the leave time balance of the employee.

III. Office Secretary Salary/Benefits:

Hourly wage is \$14.90. Hours will be Monday-Friday 8:00 A.M.-12:30 P.M. Vacation to be earned at the same as listed above. Sick leave earned at 5 1/2 hours per month. Benefits will be received at 56% of full time employees. A 12% bonus is placed in a deferred compensation plan for all hours worked.

IV. HEALTH INSURANCE:

Full time employees will receive \$325/month for insurance coverage in lieu of insurance coverage. Long Term Disability with a 90 day elimination period will be provided for the Highway Superintendent and 3 patrolmen at a premium of approximately \$160.00 per month.

V. LONGEVITY BENEFIT:

One check will be issued in the month of December for longevity pay. This benefit is for all full time employees completing five years of employment. They shall receive \$15.00 per month of longevity pay, and for each year beyond five years an additional \$3.00 per month (\$36 per year) should be added.

VI. Other Salaries – No additional benefits paid:

| | |
|------------------------|--|
| Town Chairman | \$1000.00/yr. |
| Replacement Secretary: | \$8.50 per hour |
| Machine Operator | \$10.00 per hour (negotiable) |
| Town Board: | \$50 per diem |
| Clerk Salary | 10,000 per year |
| Clerk Hourly Rate | \$11.25 per hour |
| Treasurer | \$15000.00 per year |
| Election workers: | \$6.50 per hour + .50 additional for each year of service. Chief Inspector advances by one year upon certification |
| Janitorial Worker | \$12.73 per hour |
| Clerk of Courts | \$13.36 per hour |
| Court Judge | \$3000 per year |
| Highway Superintendent | One Hour Wage for attending Regular Board Meetings |

Highway Department: All vacations must be approved by Highway Superintendent. During Winter Months (December-March) staff of 3 available at all times.

Office Staff: Vacations approved by Chairman.

TOWN OF COTTAGE GROVE

BUDGET WORKSHOP

October 13, 2005

- I. The meeting was called to order by Chairman Hampton at 7:37 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Other board members present: Supervisors Virgil Schroeder, Steve Anders, Dave Morrow and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, and EMS Director Jess Robinson.
- II. The clerk presented the budget worksheet filled in with the numbers from the previous session.
- III. As a result of a discussion regarding the Court's CPR classes, the Clerk was directed to inform the Court Clerk to order supplies for the CPR courses through the EMS department, and that EMS mannequins and the training room at the ESB are available for the CPR classes.
- IV. Other Areas of discussion included: Flynn Hall Reimbursement, Emergency Government income and expenses, potential budget carryover, park expense, board legal expenses, law enforcement, potential Trip Road Improvement Grant, and highway capital outlay.
- V. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:52 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
OCTOBER 19, 2005

PUBLIC HEARING

- I. The public hearing was called to order at 7:04 P.M. by Chairman Hampton. It was determined that the hearing was properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Other board members present were Mike Klinger, Dave Morrow, Steve Anders, and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Hampton summarized the proposed changes to TCG 04.07 Fire Protection Within Building – Knox Box. No one had any questions.
- III. **MOTION BY KLINGER/MORROW** to close the public hearing. **MOTION CARRIED 5-0.** The public hearing was closed at 7:06 P.M.

REGULAR BOARD MEETING

- IV. Chairman Hampton called the meeting to order at 7:06 P.M. at the Town Hall. Other board members present were Mike Klinger, Dave Morrow, Steve Anders, and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- V. Minutes of previous meeting(s):
 - A. **MOTION** by Schroeder/Klinger to approve the minutes of the October 3, 2005 Regular Board Meeting and October 4, 2005 Special Board meeting as presented. **MOTION CARRIED 5-0.**
 - B. The Clerk passed out draft minutes of the October 3, 2005 Closed Session. **MOTION** by Schroeder/Anders to approve the minutes of the October 3, 2005 Closed session as presented, and to keep the minutes closed until litigation is complete. **MOTION CARRIED 5-0.** The Clerk collected the copies of the minutes.
- VI. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12213 through #12264, except for check #12262, which the Treasurer was directed to research and explain further at the next regular board meeting. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$592,692.53. **MOTION CARRIED 5-0.**
 - C. The Treasurer reported that three different checks mailed out of the Cottage Grove Post Office on three different days had all failed to reach their destinations. She stopped payment on all three and filed reports with the USPS. She received notice that one did surface at a mail recovery center in Minnesota.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
OCTOBER 19, 2005

VII. Public Concerns:

- A. Stacey Skaar asked for guidance in the remaining steps to complete her zone change for three lots on Field View Lane. The Board advised here that as the rezone was already approved by the Town Board, her next step was to apply at the County.

VIII. Road Right of Way permits: NONE

IX. Landfill Update:

- A. Hampton reported that Town Attorney Greg Murray sent the names of four potential mediators to the Village's insurance company for consideration.

X. Plan Commission Recommendations:

Morrow left the table to appear as petitioner.

- A. David Morrow – 4667 Meadowlark Street – zone change for 4.075 acres – Create two .75 - .85 acre R-1 lots, remainder to A-2(2). He currently has a CUP for his woodworking business.

MOTION by Hampton/Klinger to grant a variance from the TDR policy as allowed by TCG 15.15.1 for the following reasons:

1. Lot was in existence in 1981
2. Lot was residential before 1993 rezone to A-2(4)
3. Lot is among a cluster of 13 homes
4. Lot size is greater than 2 acres and area is designated as a residential district in plan
5. Size of lots are consistent with neighboring parcels.

MOTION CARRIED 4-0.

MOTION by Hampton/Klinger to approve a rezone from A-2(4) to R-1 for two lots between .75 and .85 acres each, and A-2(2) for the remainder, with continuation of the CUP for woodworking business, under the condition that a screened dumpster is provided for scrap wood. **MOTION CARRIED 4-0.**

Morrow returned to the table

- B. Kathleen Bollig – 3333 Field View Lane – Correct Zone Change from RH-1 to R-2 for all three parcels. A previous motion on September 19, 2005 was for incorrect zoning categories. **MOTION** by Morrow/Anders to approve the rezone from RH-1 to R-2 for 2.5 acres to create three new lots. **MOTION CARRIED 5-0.**

- XI. CSM – Duane and Viola Rathert – 1979 Rathert Road. **MOTION** by Schroeder/Klinger to approve the CSM (file no. 0505-50). **MOTION CARRIED 5-0.**

- XII. EMS Budget: The Board reviewed a revised version of the 2006 EMS Budget provided by EMS Director Jess Robinson. A lengthy discussion ensued regarding the wages line item. It was not clear to the board which of the two options they had requested (No new hire in 2006, New hire in October of 2006) was represented. Hampton's statement that a \$12,000 increase over 2005 had been approved by the EMS Commission for catch-up pay prompted further discussion regarding the level of information provided to the board. Morrow requested a comparison of Deer-Grove EMS wages to regional wages. **MOTION** by Morrow/Hampton to approve the EMS Budget as presented, with a 9% overall

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
OCTOBER 19, 2005

increase over 2005. **MOTION FAILED 2-3.**

MOTION by Schroeder/Klinger to approve the EMS Budget with an Assessment of \$220,280 (reflected holding wage increase at 4%). **MOTION FAILED 2-3.**

- XIII. Skip to agenda item III. D., Budget Amendment No. 4, 2005. Hampton read the budget amendment. **MOTION** by Anders/Klinger to approve the budget amendment as presented. **MOTION CARRIED 5-0.**
- XIV. Amendment to Ordinance 04.07 Fire Protection within Building – Knox Box. **MOTION** by Anders/Schroeder to approve the ordinance amendment as presented at the public hearing. **MOTION CARRIED 5-0.**
- XV. Return to EMS Budget: **MOTION** by Anders/Schroeder to approve the EMS Budget with a total Assessment of \$220,672 (reflects wage increase held to \$8000). **MOTION CARRIED 3-2.**
- XVI. Update on Wisconsin Town's Association Convention: Hampton reported on the convention, handed out materials he had collected to appropriate parties.
- XVII. Clerk's Report: The clerk stated that she had a copy of Virchow/Kraus' audit of Dane County Zoning if anyone wanted to read it.
- XVIII. Board Reports: NONE.
- XIX. Committee Reports:
A. ETZ: Anders and Hampton reported the Town and Village seem to be generally in agreement for land use in the ETZ area, committee members are reviewing zoning code from Lake Mills for the next meeting.
B. Emergency Services Facilities: Hampton reported that the Village cannot afford the modifications that the Police Chief is asking for to the Garst Building. Huston's have offered to do some upgrades in exchange for a longer lease, the Village's reception of this idea is not yet known.
- XX. **MOTION** by Morrow/Schroeder to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 10:17 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
October 27, 2005

- I. The meeting was called to order by Chairman Hampton at 7:05 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Other board members present: Supervisors Virgil Schroeder, Steve Anders, Dave Morrow. Also present were Clerk Kim Banigan, Highway Superintendent Jeff Smith, and EMS Director Jess Robinson.
- II. The clerk presented the budget worksheet filled in with the numbers from the previous session.
- III. The proposed EMS Budget showing the Town's portion as \$78,486.24 was discussed. Robinson explained that \$12,000 of the wages figure is for 7% catch up in wages, and this would be the final year for catch up. \$8,000 is for Limited Term Employees.
- IV. Robinson presented a chart of Dane County EMS Department Comparisons.
- V. **MOTION** by Morrow/Anders to accept the EMS budget as presented, with total assessment of \$233,590. **MOTION CARRIED 4-0.**
- VI. The police budget was discussed, with a total figure of \$846,775.73 including Operating Expenses at \$83,425, Capital Outlay at \$30,400, and Personnel Costs at \$732,950.23. Town portion at 46.10% is \$390, 363.61.
- VII. A discussion was held regarding relocating of the Police Department at the former Garst Seed building, depending on whether the Village decides they can fund their portion.
- VIII. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:29 P.M.
- IX. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:52 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
SPECIAL BOARD MEETING
OCTOBER 31, 2005

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Mike Klinger, Dave Morrow, and Virgil Schroeder. Also present was Clerk Kim Banigan. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Road Right of Way permits:
- A. Bob Rodefeld, 2916 Gaston Road. **MOTION** by Schroeder/Morrow **CARRIED 4-0** to approve the following:
1. Alliant to jack & bore and trench for gas service for new home
 2. MG & E to install electric service for new home.
- B. Donald Ehlenfeldt – 3779 Gala Way. **MOTION** by Schroeder/Klinger to approve Alliant to replace pole and trench for installation of underground electric service to new home. **MOTION CARRIED 4-0.**
- III. **MOTION** by Schroeder/Morrow to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 7:03 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 7, 2005

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Mike Klinger, Dave Morrow and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Schroeder/Klinger to approve the minutes of the October 31, 2005 Special Board Meeting as presented. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Klinger to approve the minutes of the October 19, 2005 Public Hearing and Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
 - C. **MOTION** by Schroeder/Morrow to approve the minutes of the October 27, 2005 Budget Workshop, with a correction to the motion in item IX. to Morrow/Anders. **MOTION CARRIED 3-0-1.** Klinger abstained.
 - D. **MOTION** by Schroeder/Morrow to approve the minutes of the Budget Workshops on October 12 and 13, 2005 as presented. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. The Treasurer presented an explanation of check #12262 to the Village of Cottage Grove for amounts the Village reported were incorrectly billed in 2004 and 2005. **MOTION** by Schroeder/Morrow to continue to hold check #12262, and have the Village provide a report to explain the amount of \$4900.09 from 2004, as well as an explanation of the Town's portion of insurance for 2005. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12265 through #12327, with voided checks #12309 and 12318. **MOTION CARRIED 4-0.**
 - C. **MOTION** by Schroeder/Klinger to approve the net worth at \$236,261.57. **MOTION CARRIED 4-0.**
 - D. The Treasurer reported that she will be transferring \$5000 to the sick leave fund, and moving the fund to the Bank of Sun Prairie this week. She asked the board's preference for depositing it in a CD or a Money Market account, stating her preference for the Money Market account due to more flexibility in adding and withdrawing funds. Hampton stated that if a CD is used, it should not have a term of more than 1 year.
- IV. Public Concerns: Christopher Buechler asked for explanation of the Land Use Plan for areas 3 and 5 on the map.
- V. Road Right of Way permits: **MOTION** by Morrow/Klinger to approve Alliant to jack and bore and trench across and parallel to right-of-way to install underground primary and service to shed at 1737 S. Jargo Road. **MOTION CARRIED 4-0.**
- VI. Landfill Update: Hampton reported that latest test results showed zero percent methane in both probes.
- VII. CSM – Kirk and Suzanne Gillespie – 1643 County Road BB. **MOTION** by Schroeder/Morrow to approve the CSM as presented. **MOTION CARRIED 4-0.**
- VIII. Ellen Buechler – Sign on Hwy N for trucks braking: Mrs. Buechler complained about noise from trucks southbound on Hwy N applying their brakes as they come over the hill near the north branch of Natvig Road, and requested a sign prohibiting them from using jake brakes. Hampton stated that the Town would need to pass an ordinance against engine braking before signs could be put up, and that even with signs, it would be

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 7, 2005

difficult to enforce. **MOTION** by Schroeder/Morrow to direct the Chair to check with other towns with engine braking ordinances, and include the issue on the next agenda. **MOTION CARRIED 4-0.**

- IX. Review of 2004 tax collection procedure/procedure for handling tax collections for 2005. Dane County Treasurer David Gawenda presented an option for the County to process first installment tax collection for a cost of 75 cents per payment. They began the service in 2002, last year seven municipalities participated. The County provides remittance envelopes to be mailed with the tax bills, processes and deposits the payments. A daily email to the Town Treasurer details payments received. Dog license payments would be forwarded to the Town. An online payment option is also included, with a 2.75% fee for credit card payments, or a flat fee of \$2.75 for payment by e-check.

Anders arrived at 7:52 P.M.

MOTION by Morrow/Klinger to contract with Dane County to process 2005 first installment tax collection at 75 cents per payment. **MOTION CARRIED 5-0.**

- X. Attendees for Dane County Town's Association Meeting – Verona Senior Center – November 9th: Hampton and Schroeder will attend.
- XI. Ditch at 4417 Buckley Ridge: Hampton reported that the ditch was repaired today.

Attorney Connie Anderson arrived.

- XII. Consider 2005 Holiday Gathering: Tentatively set for the evening of Saturday, January 14, 2006 at The Oaks.
- XIII. Approve 2006 EMS Budget: **MOTION** by Hampton/Klinger to approve the EMS Budget as presented. **MOTION CARRIED 5-0.**
- XIV. **MOTION** by Morrow/Anders to move to closed session as permitted by Wis. Stats. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 19.85 (1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning proposed Boundary Agreement. **ROLL CALL VOTE – ALL AYES.** Move to closed session at 8:15 P.M.
- XV. **MOTION** by Anders/Morrow to arise from closed session. **ROLL CALL VOTE – ALL AYES.** Returned to open session at 8:45 P.M. There was no motion as a result of the closed session.

Anders left at 8:45 P.M.

- XVI. Clerk's Report: None.
- XVII. Board Reports: None.
- XVIII. Committee Reports: None.
- XIX. **MOTION** by Schroeder/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:57 P.M.

Kim Banigan
Clerk

2006 BUDGET PUBLIC HEARING

- I. The public hearing was called to order by Chairman Hampton at 6:36 P.M. It was determined a quorum was present and the hearing was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, as well as published on November 5-6, 2005 in the Wisconsin State Journal. Members present: Chairman Kris Hampton, Supervisors David Morrow, Virgil Schroeder, and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith and Silvin Kurt.
- II. Chairman Hampton asked if everyone had a copy of the budget summary, and invited questions. No questions were asked.
- III. **MOTION** by Klinger/Morrow to close the public hearing. **MOTION CARRIED 4-0.** The hearing was closed at 6:47 P.M.

SPECIAL MEETING OF THE ELECTORS

- I. The meeting was called to order by Chairman Hampton at 6:47 P.M. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, as well as published on November 5-6, 2005 in the Wisconsin State Journal. Members present: Chairman Kris Hampton, Supervisors David Morrow, Virgil Schroeder, and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Silvin Kurt. Some residents had begun to filter in for the Regular Board Meeting to follow, but chose not to participate in the Special Meeting of the Electors.
- II. **MOTION** by Smith/Kurt to adopt the 2005 town tax levy of 4.35/\$1000 of assessed value, to be paid in 2006 pursuant to s. 60.10(1)(a), Wis Stat. **MOTION CARRIED UNANIMOUSLY BY A SHOW OF HANDS.**
- III. **MOTION** by Schroeder/Kurt to approve the year 2006 highway expenditures of \$8358/mile, exceeding \$5000/mile pursuant to s. 82.03(2)(a). **MOTION CARRIED UNANIMOUSLY BY A SHOW OF HANDS.**
- IV. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED** by unanimous consent. The meeting was adjourned at 6:56 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 21, 2005

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Mike Klinger, Dave Morrow and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, Town Attorney Connie Anderson, and Police Chief John Gould. Residents in attendance are listed on a sign-in sheet (available in the clerk's office). It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Morrow to approve the minutes of the November 7, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Morrow to approve and the minutes of the closed session on November 7, 2005 as presented, and to keep the minutes closed until the matter is resolved. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. The Treasurer stated that she is still working with Village Administrator Kim Manley to explain amounts the Village reported were incorrectly billed in 2004 and 2005, and she presented a memo recommending voiding of check #12262, with no new check issued until the amount in question is resolved. **MOTION** by Schroeder/Morrow to void check #12262, and to direct the Treasurer to sit down with Manley to come to an agreement regarding the amounts in question before the December 5, 2005 Town Board Meeting. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12328 through #12362, with voided check #12341. **MOTION CARRIED 4-0.**
 - C. The Treasurer reported that the Sick Leave account has been moved to the Bank of Sun Prairie, with the addition of the \$5000 that was approved earlier. Interest rate is 3.76%. She further reported that Shared Revenue in the amount of \$73,017.84 was deposited electronically today, and is not reflected in the net worth she presented tonight. She intends to verify the deposit tomorrow.
 - D. **MOTION** by Schroeder/Klinger to approve the net worth as \$535,110.15. **MOTION CARRIED 4-0.**
 - E. The Treasurer reported that Wisconsin Community Bank is issuing a check for the interest for the taxpayer whose payment was missed last year. She will draft a letter to the taxpayer, to be signed by herself and the Chairman, and hand delivered to the taxpayer.
- IV. Public Concerns: None
- V. Road Right of Way permits: None.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 21, 2005

- VI. Landfill Update: Hampton reported mediation is scheduled for January 16, 2006 with Judge Nichol.

Anders arrived at 7:40 P.M.

- VII. Snowmobile Trail along Baxter Road: No one from the Cottage Grove Snowmobile Association was present. Numerous residents spoke against the trail running along Baxter Road due to safety, potential property damage and noise. Attorney Anderson presented a memo (available in the clerk's office) summarizing the statute which allows the use of town road right-of-way by snowmobiles, and trumping any other town authority. She stressed that the Town Board's hands were tied without the help of residents. **MOTION** by Schroeder/Klinger to direct the town attorney to send a letter to the Cottage Grove Snowmobile Association suggesting an alternate route, and requesting representation of the association at the December 5, 2005 meeting. The motion asked Baxter Road residents to come to the December 5th meeting prepared to present their safety concerns. Copies of the letter are to be sent to the DNR and Dane County. **MOTION CARRIED 5-0.**
- VIII. Variance - Clifford Rucks – 2116 Liberty Drive – Detached Garage 4” over setback line. Mr. Rucks presented a survey map showing the garage with one corner 4” over the setback line. **MOTION** by Schroeder/Morrow to approve the variance. **MOTION CARRIED 5-0.**
- IX. Ellen Buechler – Sign on Hwy N for trucks braking: Hampton stated that he felt enforcement would be difficult. The Chairman of the Town of Bristol told him that while they do have a sign against engine braking, enforcement is an issue. Police Chief Gould said a citation could be issued on behalf of a citizen complainant. The citizen would need to give a detailed description of the truck, license number, and driver, and then it would go to municipal court. Attorney Anderson pointed out jurisdictional problems of enforcement due to the potential sign being on a county highway. Consensus was that engine braking noise should subside with corn harvest mostly complete. Buechler was advised to monitor the situation, and the matter was tabled until further notice from Buechler.
- X. Gorman & Company – Nelson/Sheridan Annexation Petition – Discuss 2 rod addition for Myer Road. Rob Christlieb from Gorman & Company and Lou Ann Sheridan were present. Christlieb stated that Gorman & Company does not have a problem with a 2 rod addition to Myer Road, but the Village is opposed since Myer Road is not shown on the Village plan. Christlieb suggested that streets in the new development could dead-end before reaching Myer Road. Schroeder expressed concern about drainage from the development, stating that just leaving Myer Road was not enough. No action was taken.
- XI. Resolution Designating the National Incident Management System (NIMS) as the Basis for Incident Management. **MOTION** by Morrow/Anders to table until Schroeder has more information regarding NIMS. **MOTION CARRIED 5-0.**
- XII. Resolution Approving Vacation of and Waiving and Releasing Restrictions Placed on Platted Lands for American Heritage Outlots 6 and 2. Anders read the resolution. **MOTION** by Schroeder/Morrow to approve as Resolution 2005-10. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 21, 2005

- XIII. Adoption of 2006 Budget. **MOTION** by Schroeder/Anders to adopt the 2006 Budget, with revenues, including a tax levy of \$1,323,263 and a surplus of \$40,000, equal to expenditures at \$2,015,172. Mil rate is 4.35 as approved by the electors. **MOTION CARRIED 5-0.**
- XIV. **MOTION** by Morrow/Klinger to move to closed session as permitted by Wis. Stats. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 19.85 (1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning proposed Boundary Agreement. **ROLL CALL VOTE – ALL AYES.** Move to closed session at 8:30 P.M.
- XV. **MOTION** by Morrow/Klinger to arise from closed session. **ROLL CALL VOTE – ALL AYES.** Returned to open session at 8:56 P.M. There was no motion as a result of the closed session.
- XVI. Clerk's Report: None.
- XVII. Board Reports: None.
- XVIII. Committee Reports: None.
- XIX. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:58 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
DECEMBER 5, 2005

- I. Chairman Hampton called the meeting to order at 7:01P.M. at the Town Hall. Other board members present were Dave Morrow and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Town Attorney Connie Anderson, as well as those listed on attached sign-in sheet (available in the clerk's office). It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
- A. **MOTION** by Schroeder/Morrow to approve the minutes of the November 21, 2005 Regular Board Meeting as presented. **MOTION CARRIED 3-0.**
- B. **MOTION** by Schroeder/Morrow to approve the minutes of the November 21, 2005 Budget Public Hearing and Special Meeting of the Electors as presented. **MOTION CARRIED 3-0.**
- C. **MOTION** by Schroeder/Morrow to approve and the minutes of the closed session on November 21, 2005 as presented, and to keep the minutes closed until the matter is resolved. **MOTION CARRIED 3-0.**
- III. Finance Report and Approval of Bills:
- A. The Treasurer presented documentation to explain amounts the Village reported were incorrectly billed in 2004 and 2005, and stated that after meeting with Village Administrator Kim Manley, she is satisfied that the amounts are correct.
- B. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12363 through #12409. **MOTION CARRIED 3-0.**
- C. **MOTION** by Schroeder/Morrow to approve the net worth as \$548,731.21. **MOTION CARRIED 3-0.**
- IV. Public Concerns: None
- V. Road Right of Way permits: **MOTION** by Schroeder/Hampton to approve Alliant to trench for gas main extension at 4737 Wilmore Way. **MOTION CARRIED 3-0.**
- VI. Landfill Update:
- A. **MOTION** by Schroeder/Morrow to direct the Chair to sign the Notice of Intent to Apply for the 2006 Land Recycling Loan Program. **MOTION CARRIED 3-0.**
- B. Hampton reported that November 22, 2005 test results showed zero methane in both gas probes 8 and 9.
- Anders arrived at 7:26 P.M.
- VII. Discuss/Consider Snowmobile Safety Regulation Ordinance: Attorney Anderson presented the proposed ordinance, which would allow the Town Board to review safety concerns in snowmobile paths, and close routes if due regard for safety is not present. This process would occur on a complaint basis, with the Board considering input from experts such as the Town engineer, Police

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
DECEMBER 5, 2005

Chief, public works and others when making their determination. **MOTION** by Schroeder/Morrow to create section 9.095 of the Town of Cottage Grove Ordinances as Snowmobile Safety Regulation as presented by the Town Attorney. **MOTION CARRIED 4-0.**

Terry Russell of 2037 DiPiazza Dr. presented a written list of obstacles along Baxter Road (available in the Clerk's office), and stated that he had already lost a bush from being run over by a snowmobile this season. Chuck Dallman of the Sun Prairie Riders stated that the Snowmobile Club has insurance to cover damage claims.

Frank Wetzel, owner of 4463-65 Baxter Road, asked if landowners had been offered rent for trail space, Dallman answered that offers had been made, but not accepted.

Randy Schlupp, 4538 Baxter Road, stated that since Ridge Road has less driveways and more open right-of-way, the trail used last year was much safer. He presented a petition (available in Clerk's office) signed by Baxter Road residents who are strongly opposed to a snowmobile route on Baxter Road.

Terri Russell (wife of Terry, 2037 DiPiazza Dr.), stated that safety must be the main thrust, even though other issues, such as noise and potential property damage, exist.

Jim Krugman, 4538 Baxter Road, stated his safety concern due to snowmobiles weaving in and out of the ditch around driveways, as well as the dangers of crossing the interstate bridge. Dave Laundrie, 4429 Baxter road, echoed his concern regarding the interstate bridge.

Marty Wetzel said she worried about safety of cars backing out of driveways into snowmobile traffic, since it is already a hazard with just car traffic.

Larry Morris, President of the Cottage Grove Snowmobile Club, stated that Baxter Road is a "route of last resort", and that a speed limit and yield signs and signs designating hazards would mean that snowmobiles would not be going very fast.

Jeff Paulson, representing the Cottage Grove Snowmobile Club, said he would like Baxter Road to be established as a Snowmobile Road Route, which means snowmobiles travel on the roadway itself, and law enforcement can enforce posted snowmobile speed limits. He suggested a 10 m.p.h. speed limit. Paul Statz, President of the Dane County Council of Snowmobile Clubs, said that state law allows snowmobiles to travel in town road right-of-way, but travel on the roadway requires the Town to designate a Snowmobile Route. He also stated that Wis. Stat. 895.52 holds the Town and any landowner harmless for liability.

Richard Bittinger of the Sun Prairie Riders, stated that a road route forces snowmobiles to go slow so they don't tear up their equipment on the pavement. Jeri Krugman stated that the road is clear on most days. Several audience members expressed concern that a designated road route would not prohibit travel in the ditch, and in the absence of snow on the roadway, riders would be using the ditch to save their equipment.

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- VIII. Board consensus was to gather input from the Town Engineer, Police Chief and Highway Superintendent to be considered at the December 19, 2005 meeting, when the Snowmobile Safety Regulation Ordinance will be in effect, giving the board authority to make a determination on the safety of Baxter Road as a snowmobile route.
- IX. Don & Leslie Peckham – Outlot 2 – Possible Purchase: The Peckhams inquired about the process to purchase Outlot 2 on Baxter Road. They were advised to bring a written offer to the December 19th meeting, and that upon acceptance, they would need to have a certified survey performed. The Clerk will notify owners of other parcels adjacent to Outlot 2 that an offer will be considered, and give them an opportunity to submit their own offer if interested.
- X. Open Bids for Loader and set date for awarding bid: Hampton opened the following bids:
Richie Implement, Inc. – JCB Loader - \$52,200 + options – note that bid does not meet specifications.
Miller Bradford – Case Loader - \$63,864
Brooks Implement –John Deere Loader - \$59,949
Airing Equipment – Volvo Loader - \$61,975
MOTION by Hampton/Anders for Smith to review the bids and make a recommendation at the December 19th meeting, where the bid will be rewarded. **MOTION CARRIED 4-0.**
- XI. Consider Holiday Hours: **MOTION** by Schroeder/Anders for the Town Office to be closed on Monday December 26, 2005 and Monday January 2, 2006. **MOTION CARRIED 4-0.**
- XII. **MOTION** by Schroeder/Anders to move to closed session as permitted by Wis. Stats. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and 19.85 (1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning proposed Boundary Agreement. **ROLL CALL VOTE – ALL AYES.** Move to closed session at 9:27 P.M.
- XIII. **MOTION** by Anders/Morrow to arise from closed session. **ROLL CALL VOTE – ALL AYES.** Returned to open session at 9:53 P.M. There was no motion as a result of the closed session.
- XIV. Clerk’s Report: None.
- XV. Board Reports: None.
- XVI. Committee Reports: None.
- XVII. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:57 P.M.

Kim Banigan
Clerk

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- I. Chairman Hampton called the meeting to order at 7:03 P.M. at the Town Hall. Other board members present were Dave Morrow, Mike Klinger and Virgil Schroeder. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, Police Chief John Gould, as well as those listed on attached sign-in sheet (available in the clerk's office). It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Schroeder/Morrow to approve the minutes of the December 5, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12410 through #12441, including voided checks 12422 and 12423. **MOTION CARRIED 4-0.**
 - B. Schroeder stated that a \$1000 check received from Hydrite in 2003 was intended to be for Emergency Government, and wondered if it was possible to take the Town's portion (\$500) out of the general fund now and put it in a separate account for Emergency Government. The Treasurer stated that the Village had received the \$1000 check, and gave the Town its share in the form of a credit against shared billing. This will be discussed further at the next meeting.
 - C. **MOTION** by Schroeder/Klinger to approve the net worth at \$644,323.20. **MOTION CARRIED 4-0.**
 - D. The Treasurer requested 4th quarter per diems by December 29, 2005, as well as 2005 attendance for the Emergency Government Committee and Plan Commission.
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: None.
- VII. Discuss/Consider Snowmobile Safety Regulation Ordinance: Chairman Hampton stated that Town Engineer Warren Meyers had submitted his report on the safety concerns for snowmobiles on Baxter Road (available in the clerk's office), and offered copies of the report to those interested. Police Chief Gould stated that he was in agreement with the engineering aspects of safety as reported by Meyers.

Gary Stueber, owner of Doubledays, stated that snowmobiles should enter and exit from Doubledays through the lot behind the buildings.

Jim Krugman, 4546 Baxter Road, stated that snowmobiles had been on his front lawn, not the road right-of-way, on Sunday at 6:30 A.M. Randy Schlupp, 4538 Baxter Road, said snowmobiles had run 20 feet from his front window. He later stated that the issue of safety included not only obstacles, but also children playing.

Debbie Stueber stated that snowmobilers coming into Doubledays are looking for a map and directions, and she feels that if a trail was marked, they would follow it. John Lukosaitis, 2714 Bluebird Lane, echoed this.

Schroeder asked Gould if there was a reasonable way to enforce a speed limit. Gould's response was that the tools are available, but pursuit could be a challenge when snowmobilers take off across a field.

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Sam Landes, associate director of the Association of Wisconsin Snowmobile Clubs, said that the Dane County Sheriff has two patrolmen on snowmobiles available for enforcement.

Gary Stueber suggested that snowmobile club members themselves could patrol the area and warn riders that not following the trail would endanger its existence.

Hampton read Resolution No. 2005-11 – Snowmobile Safety Regulation Resolution for Baxter Road (available in the clerk's office). **MOTION** by Schroeder/Hampton to approve the resolution as read, and to designate Baxter Road as a Snowmobile Road Route (paved and gravel surfaces only) for 2005-2006 only, with a 10 m.p.h. speed limit. The Snowmobile Club will purchase and install trail markers and speed limit signs. **MOTION CARRIED 3-1.** Morrow opposed.

- VIII. Approve CSM for James and Nola Skaar. **MOTION** by Schroeder/Morrow to approve the CSM as presented. **MOTION CARRIED 4-0.**
- IX. Award Bid for Loader: Smith stated his preference for the John Deere Loader, asked if the Board wanted to consider adding air conditioning to improve resale value. **MOTION** by Schroeder/Klinger to award the bid to Brooks Implement for the 2006 John Deere 304J loader at \$59,949, with no air conditioning. **MOTION CARRIED 4-0.**
- X. Approve CSM for Lawrence Jungbluth: Matt Jungbluth presented the CSM. **MOTION** by Schroeder/Klinger to approve the CSM as presented. **MOTION CARRIED 4-0.**
- XI. Skip to Agenda Item III E. Set Date for First Meeting in January 2006: Consensus was to hold the meeting on the regularly scheduled date of Monday, January 2, 2006.

Morrow left at 8:00 P.M.

- XII. Consider exception to employee policy. Smith stated that Steve Querin-Schultz has requested an exception to carry over 11 hours of vacation from 2005 to 2006 in addition to the usually allowed 40 hours. He anticipates needing to take time off early in 2006 for medical reasons. **MOTION** by Klinger/Hampton to allow a one-time exception of 11 extra hours of vacation carryover. **MOTION CARRIED 3-0.**
- XIII. Clerk's Report: None.
- XIV. Board Reports: Hampton presented the final calculation of 2006 Transportation Aids at \$132,936.57.
- XV. Committee Reports: None.
- XVI. **MOTION** by Schroeder/Klinger to adjourn. **MOTION CARRIED 3-0.** The meeting was adjourned at 8:07 P.M.

Kim Banigan
Clerk