TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JANUARY 16, 2017

D R A F T

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel and Deputy Jennifer Grafton.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on December 19, 2016. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31019-31111 from Monona State Bank, with checks #31041, 31042, 31083-31086 voided. **MOTION CARRIED 5-0.**
2. **MOTION** by Anders/Fonger to approve payment of December per diems as presented, and payment of $910.00 to Viken Inspection Agency, LLC for December building permits. **MOTION CARRIED 5-0.**
3. The Treasurer asked that January per diem reports be submitted by the February 3rd.

E. Public Concerns: John Russell introduced himself as a candidate for the Monona Grove School Board.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review December Police Activities: The monthly report showed that there were 179 calls for service and 56 citations issued in December. Deputy Grafton reported that there were no incidents of great significance, but a new form includes a long list of questions for citation recipients. The new squad car is working out well. There seems to be a language barrier with the new janitors, the Clerk will see what can be done about that. An exterior door is sticking, Hampton said he and Smith will look at it.

B. Discuss/Consider approval of improvements to the intersections at Nora and Uphoff Roads and Ridge and Jargo Roads: Engineer Tom TeBeest had provided preliminary drawings to reconfigure both of these Y intersections.

Otto K. Otteson, 2173 Nora Road, and Troy Eickhoff, 3632 Earlwyn Road, both opposed the changes to the Nora/Uphoff intersection. Smith said the changes would eliminate cross traffic at the hill and allow for better snow removal. Otteson said it is can be difficult to make it up the hill when turning south on Nora Road now, and fears it will be even more difficult at slower speeds once the curve is gone. He is also concerned that the new road would be closer to the hill on Uphoff Road, and traffic coming West on Uphoff may not see slow moving traffic turning West from Nora Road in time to stop. He would like to see the intersection left as it is, Eickhoff would like to see at least a slight bend remain Nora Road. The estimated cost for the Nora/Uphoff intersection is $113,583.

The proposed changes to the Ridge/Jargo intersection would require trading land and moving one residential driveway. The more direct driveway route may require a change of address. The owner has not yet been contacted. The estimated cost for this intersection is $74,529.

There was discussion as to whether the benefits justify the cost of these projects, with Smith listing other projects that need to be done as well. Hampton suggested going forward with the Ridge/Jargo intersection but not the Nora/Uphoff one at this time. Williams, DuPlayee and Fonger all spoke in favor of moving forward with both of them. **MOTION** by DuPlayee/Williams to proceed with both projects, with a public hearing to be held when plans are finalized. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of purchasing a 2012 F550 Plow truck from the Town of Dunn: Smith said the truck is bigger and heavier than the one-ton he had planned to purchase this year at a higher cost, and comes with a stainless steel box, plow and new tires. It currently has just over 35,000 miles, and they are asking $36,500 for it. Fonger questioned whether a 2012 truck would have a long enough lifetime as opposed to purchasing a new truck. Smith felt the lower cost and better equipment justified the older model year. He did note that the Town of Dunn will continue to use the truck until their new one arrives sometime this spring. **MOTION** by Anders/Fonger to approve purchase of the 2012 F550 Plow truck from the Town of Dunn for $36,500 in the condition it is shown to be in as of today. **MOTION CARRIED 5-0.**

D. Discuss/Consider approval of selling the 2007 GMC one-ton truck: **MOTION** by Hampton/Williams to sell the 2007 GMC one-ton truck once the replacement is purchased from the Town of Dunn. The Town Chair and Highway Superintendent are authorized to determine the minimum acceptable selling price. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of selling 1991 20' utility trailer: Smith explained that this trailer is barely long enough for the new mowers and could use some refurbishing, but for a little more he could get a new 22' trailer with electric vs. surge brakes. **MOTION** by DuPlayee/Fonger to approve selling the 1991 20' utility trailer, at a minimum selling price to be determined by the Town Chair and Highway Superintendent. **MOTION CARRIED 5-0.**

F. Discuss/Consider approval of purchasing 2017 22' utility trailer: **MOTION** by DuPlayee/Williams to approve the purchase of a 2017 22' utility trailer at a cost of $4,100. **MOTION CARRIED 5-0.**

G. Discuss/Consider approval of Dane County Ordinance Amendment No. 67, 2016 regarding Conditional Use Permit Appeals: Discussion was that this amendment makes sense compared to the earlier proposal. **MOTION** by Williams/Fonger to approve Dane County Ordinance Amendment No. 67, 2016 regarding Conditional Use Permit Appeals as presented. **MOTION CARRIED 5-0.**

H. Discuss/Consider implementing a Section 125 Premium Only Plan for Health Insurance Premiums: **MOTION** by Fonger/Williams to approve implementing the plan as presented, and payment of the first year administrative fee of $350 with check #31111. **MOTION CARRIED 5-0.**

I. Discuss/Consider appointment to the WisDOT I-39 Beltline Interchange Indirect and Cumulative Effects Expert Panel: **MOTION** by Anders/Fonger to nominate Hampton to represent the Town on the expert panel. **MOTION CARRIED 5-0.**

J. Discuss/Consider attendees for WTA District meetings: Williams and DuPlayee would like to attend the February 24th meeting at the Kalahari in Wisconsin Dells. **MOTION** by

Hampton/Fonger to allow 2 attendees to the February 24th meeting. **MOTION CARRIED 5-0.**

K. Discuss/Consider attendees for DCTA meeting on January 18, 2017: Anders, Hampton and DuPlayee would like to attend. **MOTION** by Williams/DuPlayee to allow three attendees. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The Clerk and Deputy Clerk will attend training on January 23rd to learn about recent updates to the DS200 ballot scanner. The February 21st primary ballot will include only State Superintendent of Schools and Stoughton school board races.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: They have been using up lots of salt with the recent cold, rainy weather. Smith had several scary experiences sliding on ice with the new loader. Fortunately Michelin special pricing allowed him to install 4 new tires at a net cost of $2,500 after trading in the original tires. These are the tires he would have preferred in the first place but would have added $4,000 to the purchase price of the machine.

V. BOARD REPORTS AND COMMUNICATIONS

A. Hampton:

1. Received the 2016 bridge inspection report and and gave it to Smith.
2. Received notice of a solar grant program from MG&E.
3. Received notice of UW Extension land use planning and zoning teleconferences.
4. Received notice of Grants available from the Dane County Environmental Council.
5. Reported that the DNR is looking for photos of the Town Garage for a Stormwater permit waiver, but the Town Garage is not in the urbanized area covered by the permit.

B. Anders:

1. He attended a packed DOT meeting at the Bristol Town Hall regarding the I 39/90/94 corridor study and the proposed routes of a Madison bypass for I-94.
2. He will attend the January 24th meeting of the DaneCom governing board.

VI. COMMITTEE REPORTS

A. Emergency Government Committee: The January meeting was a short one, contact info was shared.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:41 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 6, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel and Attorneys Connie Anderson and Susan Allen.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on January 16, 2017. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31112-31150 from Monona State Bank, with check lost check #31067 voided and replaced with #31114. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/DuPlayee to approve payment of January per diems as presented, and payment of $745.00 to Viken Inspection Agency, LLC for January building permits. **MOTION CARRIED 5-0.**

3. The Treasurer reported that first installment tax collection is complete and the field portion of the 2016 audit was completed on February 3rd.

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Discuss/Consider whether to allow or disallow notice of claim regarding incident on January 26, 2017: Notice of Claim was received from Steven Beecher regarding damage to his pickup truck resulting from a collision with a snow plow truck. Atty. Allen said the Town has 120 days to respond but if the Town decides to allow the claim, it is best to respond soon. **MOTION** by DuPlayee/Williams to allow the claim and refer it to the Town's insurance provider. **MOTION CARRIED 5-0.**

B. American Parkinson Disease Assoc – WI Chapter/Ryan Hastings:

1. Discuss/Consider approval of a Parade, Procession or Race permit, for a half marathon crossing Town roads at the Glacial Drumlin Bike Trail on April 1, 2017: The Clerk noted that this event has taken place without incident for several years and no concerns have been raised over this year's application by any of the emergency services. **MOTION** by Williams/DuPlayee to approve a Parade, Procession or Race permit, for a half marathon crossing Town roads at the Glacial Drumlin Bike Trail on April 1, 2017. **MOTION CARRIED 5-0.**

2. Discuss/Consider approval of charging the Town Resident rate for Town Hall rental on March 31 and April 1 for race packet distribution and registration: **MOTION** by Williams/DuPlayee to approve request for Town Hall rental at Town resident rate. **MOTION CARRIED 5-0.**

C. Discuss/Approve project plan for review and update of the Town's code of ordinances, as included in 2017 budget: Atty. Anderson announced that she is hoping to start a transition toward retirement such that she would no longer be the Town's attorney after July 1, 2017. She sees the ordinance review process as a good fit for Atty. Susan Allen of Stafford

Rosenbaum, who already knows our ordinances as a result of her work as court prosecutor. Anderson suggested that working with Allen on this project would give the Town a feel for whether Allen might also be be a good fit to serve as Town Attorney after Anderson's retirement. Discussion was that it would make sense to begin the ordinance review with the ordinances that go to the judge, since Allen is most familiar with these and also they get the most use. Anderson suggested repealing the ordinance review committee at least temporarily in order to streamline the process. **MOTION** by DuPlayee/Williams directing Atty. Allen to work with the Town Chair and Clerk to come up with a list of priorities, not to exceed $20,000 for this budget year. **MOTION CARRIED 5-0.**

D. Discuss/Consider adoption of Budget Resolution 2016-02 amending the Town's 2016 budget: **MOTION** by Anders/DuPlayee to adopt Budget Resolution 2016-02 amending the Town's 2016 budget as presented. **MOTION CARRIED 5-0.**

E. Discuss/Consider amending the Personnel Policy and Procedures Manual regarding sick leave, retirement and health insurance benefits: The Clerk explained that the original purpose of this proposed amendment was to bring the manual up to date with current practices regarding the Wisconsin Retirement System, Wisconsin Deferred Compensation Program and Health Insurance, and eliminate the payment in lieu of retirement. In addition, there had been a request by Smith to allow new employees to begin using earned sick leave immediately upon hire rather than waiting until after their introductory period. **MOTION** by Anders/Fonger to adopt the amendments to Sick Leave Earned, Wisconsin Retirement System, Wisconsin Deferred Compensation Program and Health Insurance, and remove the Payment in lieu of Retirement as presented. **MOTION CARRIED 5-0.** There was further discussion about the possibility of allowing accumulated sick leave to be used to pay health insurance premiums after retirement. The Clerk had gathered some information on how this could be accomplished on a pre-tax basis, but Atty. Anderson recommended getting advice from the Town's auditors about how the funds should be segregated and dispensed.

III. CLERK'S OFFICE UPDATE: The Clerk and Deputy Clerk recently attended training for a new firmware version that has been applied to the DS200 ballot scanner, and will need to train election inspectors prior to the February 21st Primary. The Clerk is beginning to work on the 2016 Annual Report and Newsletter.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. There was no damage to the snowplow truck involved in the collision on January 26th.

B. On January 25th, a worker accidentally backed into one of the garage doors resulting in damage to three panels. The damage has been turned in to the Town's insurance provider.

C. This winter has seen salt use levels way above the normal rate due to several ice storms, and the Town is out of contracted salt. Smith was able to purchase 162 tons from Kendal Uphoff at just $1.30/ton more than the contracted price, which is considerably lower than other sources.

V. BOARD REPORTS AND COMMUNICATIONS

A. Hampton:

1. Received public notice of air pollution control permit review for Hydrite Chemical.
2. The next I39/90/94 Study meeting will be on March 3rd in Windsor. The next public involvement meeting is on March 6th at Angell Park in Sun Prairie.

3. Shared CARPC maps showing the Village of Cottage Grove's request for 4 new urban service areas.
4. DCTA Capital day is March 15th.
5. He plans to attend a County Natural Hazard Mitigation Planning meeting on February 24th.

VI. COMMITTEE REPORTS

A. Deer-Grove EMS Commission: The Chief presented his 2016 Annual Report at the January meeting. The building of the new ambulances is moving ahead quickly.

B. Emergency Government Committee: There will be a major exercise with Hydrite Chemical later in the year that will require a lot of planning in the meantime.

VII. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:02 P.M.

Kim Banigan, Clerk
Approved 03-06-2017

TOWN OF COTTAGE GROVE
4058 County Road N
Cottage Grove, WI 53527

BUDGET RESOLUTION 2016-02

A resolution allocating unassigned funds and amending the 2016 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 that the following adjustments be made to the 2016 Town budget:

Revenue			Expense			Explanation
43060	Unassigned General Fund	87,124.75	51770	Contractor Expense	4,012.25	2015 Funds Applied To Gaston Road Project
			52000	Hwy Maint. Contracts	83,112.50	
42260	Viney Development Fund	11,094.60	50000	Board Salaries	250.00	Viney's Subdivision Expense Reimbursed By Resident
			50180	Town Planner	440.00	
			50250	Town Legal Expense	6,624.00	
			51770	Contractor Expense	3,780.60	
Total Change In Revenue		98,219.35	Total Change In Expense		98,219.35	
			Net Change		0.00	

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 6th day of Feb, 2017.

TOWN OF COTTAGE GROVE

Kris Hampton

Kris Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MARCH 6, 2017

PUBLIC HEARING FOR PROPOSED REPEAL OF ORDINANCE ESTABLISHING ORDINANCE COMMITTEE

I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel, Dane County Sheriff Captain Jeff Teuscher and Deputy Jennifer Grafton.

II. Hampton called the public hearing to order at 7:00 P.M. and explained that the Town Attorney has recommended that there is no need to have committee review of ordinance revisions during the re-codification process since they will all be subject to attorney review. Romayn Rote, 2964 Gaston Road, didn't think it made sense to take the citizen review aspect out of the process. Hampton said there would still be opportunities for public input during public hearings.

III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:04 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting and attendance were as described for the public hearing above.

B. Hampton called the meeting to order at 7:04 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on February 6, 2017 as printed. **MOTION CARRIED 5-0**. Hampton noted that the Hazard Mitigation meeting mentioned in the minutes had been rescheduled to this coming Friday.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31151-31264 from Monona State Bank, with check #31152 voided and replaced with #31226. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/Fonger to approve payment of February per diems as presented, and payment of $475.00 to Viken Inspection Agency, LLC for February building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review January Police Activities: The monthly report showed 117 citations and 195 calls for service in January. Deputy Grafton reported that there were tire slashing incidents isolated in one neighborhood and some alcohol related crashes.

B. Discuss/Consider whether to hire a replacement while Deputy Biwer is away for K-9 training: Captain Teuscher said that Deputy Biwer will be away for 4-6 weeks in April/May. The Town's options are to request a temporary replacement or allow the precinct deputies to handle calls during Biwer's scheduled shifts, which he estimated would save the Town around $9,000. He said he had a couple of deputies in mind who would be a good fit as they had worked as temporary contract replacements in the past. They could cost more or less than

Biwer. **MOTION** by Anders/DuPlayee to direct Captain Teuscher to secure a replacement for Deputy Biwer while he is away for K-9 training. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of replacing the outdoor emergency call box at the police station: An estimate from Pyramid Telephone and Security, Inc. put the cost of replacement at $850, including labor and a 1 year warranty. **MOTION** by Fonger/DuPlayee to spend up to $900 to replace the call box. **MOTION CARRIED 5-0.**

D. Plan Commission Recommendations:

1. Steven Hauge, applicant, George Hauge, Landowner – parcel 0711-363-9000-7 at 1834 Schadel Road: Requesting rezone of 10 acres from A-1EX to A-2(8) to separate existing residence from farmland, and rezone of 5 acres from A-1EX to A-2(4) to create a small ag parcel: Steven Hauge was present, along with Atty. Michael Rumpf. They had submitted a revised preliminary CSM after consulting with Dane County Zoning Administrator Roger Lane, which proposed a 10 acre lot encompassing the house and farm buildings to be rezoned to A-2(8), surrounded to the north and west by an L-shaped 5.0 acre parcel to be rezoned to A-4. The Clerk noted that there are two remaining RDUs on the property, and splitting the pre-1982 farm house off does not require the use of a RDU per the Town's plan. Atty. Rumpf stated that the Hauge's wish to retain ownership of the two RDUs and sell the remaining 65 acres as deed restricted against residential development. There was discussion about the configuration of the lots and the fact that the Town's plan allows for up to 10 acres if necessary to encompass the farm buildings, which does not appear to be the case here. Mr. Hauge said the family is looking for a 15 acre farmette, but reduced the lot size to 10 acres based on direction from the Plan Commission and put the other 15 acres in a separate lot. Some did not like the L-shape of Lot 2, and there were suggestions for reconfiguration but doing so did not leave a good spot to possibly create a lot to use one of the remaining RDUs in the future. **MOTION** by Williams/DuPlayee to approve the revised request to rezone 10 acres to A-(8) and 5 acres to A-4 as depicted on the Preliminary CSM identified as Dwg. No. 4956-16 with revision date of 03/05/17. **MOTION CARRIED 3-2** (Hampton and Anders opposed).

2. Kyle Klawitter, - parcels 0711-233-8000-6 and 0711-234-8500-0 at 1939 Hubred Lane: Requesting rezone of 4.0 acres from A-1EX to RH-1 for the sale of 2 residential lots of 2 acres each, and rezone of 32 acres from A1-EX to A-2 for 2 lots, 16 acres each: At the Plan Commission meeting, there was a question whether there are actually 2 remaining RDUs on the property. The Clerk confirmed this to be the case since the Town's plan does not require the use of a RDU to separate the pre-1982 farm house. It was observed that the two 16-acre lots are land locked. Klawitter stated he plans to offer them to the buyers of the two residential lots, or if they are not interested, the 16-acre lots will stay with the remainder of the farm. Smith said the cul-de-sac would need to be built out, which is typically done at the developer's expense. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the rezone of 4.0 acres from A-1EX to RH-1 for the sale of 2 residential lots of 2 acres each, and rezone of 32 acres from A1-EX to A-2 for 2 lots, 16 acres each. The cul-de-sac must be built out within 90 days of development of the first lot, including a 90' diameter paved area, at the owner's expense, and a joint driveway agreement must be recorded for the two residential lots.

The two 16-acre lots and the remainder of the farm must be deed restricted against future residential development. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of a certified survey map for Rob Hulbert involving parcel number(s) 0711-294-9280-0, 0711-294-9220-0, 0711-294-9255-0 and 0711-294-8315-0 on Vilas Road, as related to rezone petition 11020: **MOTION** by Hampton/DuPlayee to approve the CSM identified as EDI Pjt. No. 15-0303 dated 2/24/2017 as presented. **MOTION CARRIED 5-0.**

F. Discuss/Consider authorizing the Clerk's signature on deed restriction for Avant Gardening as required by rezone 11048: The Town's prior approval authorized the retail sale of nursery stock produced on the property. The deed restriction presented was based on the County's approval which also included retail sales of bagged soil, compost and fertilizer. **MOTION** by Anders/DuPlayee to authorize the Clerk to sign the deed restriction as presented. **MOTION CARRIED 5-0.**

G. Discuss/Consider response to DOA Annexation Review Questionnaire for annexation petition 14003 by Shady Grove, LLC: The clerk had completed the factual portion of the questionnaire, and the board added comments regarding the suitability for development of the property while still in the Town and implications of surrounding a Town Subdivision on three sides by Village if it is annexed. **MOTION** by Hampton/DuPlayee to incorporate the suggestions from tonight into the response as prepared by the Clerk. **MOTION CARRIED 5-0.**

H. Discuss/Consider adoption of Ordinance 2017-01 to repeal TCG section 1.04 Ordinance Committee and amend TCG section 25.10 Rules for Adoption of the TCG Code of Ordinances: **MOTION** by Fonger/Anders to adoption Ordinance 2017-01 as presented. **MOTION CARRIED 5-0.**

I. Discuss/Consider Dane County Zoning Ordinance Draft: Hampton asked if there is any interest in having the Town's planner and/or attorney review the draft at this point. Anders suggested holding off as the draft is still changing. There was no action taken.

J. Discuss/Consider sales tax on rental fees for Town facilities: The Treasurer reported that she learned from a recent WTA newsletter that the Town should be charging sales tax for hall rental. The question is whether to include rental fees in the charge or charge them on top of the current fees. **MOTION** by Williams/DuPlayee to increase the fees to incorporate sales tax, rounded up to the next whole dollar amount. **MOTION CARRIED 5-0.**

K. Discuss/Consider amending the Personnel Policy and Procedures Manual regarding use of accumulated sick leave to pay post-retirement health insurance premiums: The Clerk had gathered such policies from several other municipalities. Discussion was to include a requirement that the retiring employee be at least 55 years of age and have at least 10 years of consecutive service with the Town. Employees should have a one time choice whether to take a 50% payout of their accumulated sick leave balance, or apply it toward health insurance premiums. Consensus was for the Clerk to draft what was discussed for the next meeting.

L. Discuss/Consider approval of 2018 negotiations for a boundary agreement with the City of Madison: Hampton reported that he inquired at the recent Yahara Neighborhood meeting whether the City would be interested in pursuing a boundary agreement with the Town. Rick Roll took it to Mayor Soglin, who said he would be interested but not until 2018. **MOTION**

by DuPlayee/Williams to budget for pursuit of a boundary agreement in 2018. **MOTION CARRIED 5-0.**

M. Discuss/Consider agenda items for the Annual Town Meeting on April 18th: Items discussed included an update on Deer-Grove EMS' new ambulances, update on the TDR program, discussion of bike trails.

III. CLERK'S OFFICE UPDATE: The clerk reported that there were 355 voters at the Spring Primary.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. The utility trailer sold within 24 hours to a local party, and the new trailer has been received.

B. An overweight crane truck was caught on Lotus Lane. The crane was there to remove a tree branch from the roof of a house. The driver will be cited for not obtaining an overweight permit.

C. The bridge on County AB will be closed for reconstruction.

V. BOARD REPORTS AND COMMUNICATIONS

A. Hampton reported receiving notice of an air pollution control permit application by Hydrite Chemical, and of the application deadline for a Dane County Urban Water Quality grant.

VI. COMMITTEE REPORTS

A. Deer-Grove EMS Commission: The committee is working on the Chief's annual evaluation, and still talking about consolidation with Marshall and Cambridge EMS. The new ambulances are in production.

B. Joint Town/Village Fire Department Committee: Discussion on staffing was held.

C. Emergency Government Committee: There have been no emergencies.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:18 P.M.

Kim Banigan, Clerk
Approved 03-20-2017

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MARCH 6, 2017

PUBLIC HEARING FOR PROPOSED REPEAL OF ORIDINANCE ESTABLISHING ORDINANCE COMMITTEE

I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel, Dane County Sheriff Captain Jeff Teuscher and Deputy Jennifer Grafton.

II. Hampton called the public hearing to order at 7:00 P.M. and explained that the Town Attorney has recommended that there is no need to have committee review of ordinance revisions during the re-codification process since they will all be subject to attorney review. Romayn Rote, 2964 Gaston Road, didn't think it made sense to take the citizen review aspect out of the process. Hampton said there would still be opportunities for public input during public hearings.

III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:04 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting and attendance were as described for the public hearing above.

B. Hampton called the meeting to order at 7:04 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on February 6, 2017 as printed. **MOTION CARRIED 5-0**. Hampton noted that the Hazard Mitigation meeting mentioned in the minutes had been rescheduled to this coming Friday.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31151-31264 from Monona State Bank, with check #31152 voided and replaced with #31226. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/Fonger to approve payment of February per diems as presented, and payment of $475.00 to Viken Inspection Agency, LLC for February building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review January Police Activities: The monthly report showed 117 citations and 195 calls for service in January. Deputy Grafton reported that there were tire slashing incidents isolated in one neighborhood and some alcohol related crashes.

B. Discuss/Consider whether to hire a replacement while Deputy Biwer is away for K-9 training: Captain Teuscher said that Deputy Biwer will be away for 4-6 weeks in April/May. The Town's options are to request a temporary replacement or allow the precinct deputies handle calls during Biwer's scheduled shifts, which he estimated would save the Town around $9,000. He said he had a couple of deputies in mind who would be a good fit as they had worked as temporary contract replacements in the past. They could cost more or less than

Biwer. **MOTION** by Anders/DuPlayee to direct Captain Teuscher to secure a replacement for Deputy Biwer while he is away for K-9 training. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of replacing the outdoor emergency call box at the police station: An estimate from Pyramid Telephone and Security, Inc. put the cost of replacement at $850, including labor and a 1 year warranty. **MOTION** by Fonger/DuPlayee to spend up to $900 to replace the call box. **MOTION CARRIED 5-0.**

D. Plan Commission Recommendations:

1. Steven Hauge, applicant, George Hauge, Landowner – parcel 0711-363-9000-7 at 1834 Schadel Road: Requesting rezone of 10 acres from A-1EX to A-2(8) to separate existing residence from farmland, and rezone of 5 acres from A-1EX to A-2(4) to create a small ag parcel: Steven Hauge was present, along with Atty. Michael Rumpf. They had submitted a revised preliminary CSM after consulting with Dane County Zoning Administrator Roger Lane, which proposed a 10 acre lot encompassing the house and farm buildings to be rezoned to A-2(8), surrounded to the north and west by an L-shaped 5.0 acre parcel to be rezoned to A-4. The Clerk noted that there are two remaining RDUs on the property, and splitting the pre-1982 farm house off does not require the use of a RDU per the Town's plan. Atty. Rumpf stated that the Hauge's wish to retain ownership of the two RDUs and sell the remaining 65 acres as deed restricted against residential development. There was discussion about the configuration of the lots and the fact that the Town's plan allows for up to 10 acres if necessary to encompass the farm buildings, which does not appear to be the case here. Mr. Hauge said the family is looking for a 15 acre farmette, but reduced the lot size to 10 acres based on direction from the Plan Commission and put the other 15 acres in a separate lot. Some did not like the L-shape of Lot 2, and there were suggestions for reconfiguration but doing so did not leave a good spot to possibly create a lot to use one of the remaining RDUs in the future. **MOTION** by Williams/DuPlayee to approve the revised request to rezone 10 acres to A-(8) and 5 acres to A-4 as depicted on the Preliminary CSM identified as Dwg. No. 4956-16 with revision date of 03/05/17. **MOTION CARRIED 3-2** (Hampton and Anders opposed).

2. Kyle Klawitter, - parcels 0711-233-8000-6 and 0711-234-8500-0 at 1939 Hubred Lane: Requesting rezone of 4.0 acres from A-1EX to RH-1 for the sale of 2 residential lots of 2 acres each, and rezone of 32 acres from A1-EX to A-2 for 2 lots, 16 acres each: At the Plan Commission meeting, there was a question whether there are actually 2 remaining RDUs on the property. The Clerk confirmed this to be the case since the Town's plan does not require the use of a RDU to separate the pre-1982 farm house. It was observed that the two 16-acre lots are land locked. Klawitter stated he plans to offer them to the buyers of the two residential lots, or if they are not interested, the 16-acre lots will stay with the remainder of the farm. Smith said the cul-de-sac would need to be built out, which is typically done at the developer's expense. **MOTION** by Fonger/Williams to accept the Plan Commission's recommendation to approve the rezone of 4.0 acres from A-1EX to RH-1 for the sale of 2 residential lots of 2 acres each, and rezone of 32 acres from A1-EX to A-2 for 2 lots, 16 acres each. The cul-de-sac must be built out within 90 days of development of the first lot, including a 90' diameter paved area, at the owner's expense, and a joint driveway agreement must be recorded for the two residential lots.

The two 16-acre lots and the remainder of the farm must be deed restricted against future residential development. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of a certified survey map for Rob Hulbert involving parcel number(s) 0711-294-9280-0, 0711-294-9220-0, 0711-294-9255-0 and 0711-294-8315-0 on Vilas Road, as related to rezone petition 11020: **MOTION** by Hampton/DuPlayee to approve the CSM identified as EDI Pjt. No. 15-0303 dated 2/24/2017 as presented. **MOTION CARRIED 5-0.**

F. Discuss/Consider authorizing the Clerk's signature on deed restriction for Avant Gardening as required by rezone 11048: The Town's prior approval authorized the retail sale of nursery stock produced on the property. The deed restriction presented was based on the County's approval which also included retail sales of bagged soil, compost and fertilizer. **MOTION** by Anders/DuPlayee to authorize the Clerk to sign the deed restriction as presented. **MOTION CARRIED 5-0.**

G. Discuss/Consider response to DOA Annexation Review Questionnaire for annexation petition 14003 by Shady Grove, LLC: The clerk had completed the factual portion of the questionnaire, and the board added comments regarding the suitability for development of the property while still in the Town and implications of surrounding a Town Subdivision on three sides by Village if it is annexed. **MOTION** by Hampton/DuPlayee to incorporate the suggestions from tonight into the response as prepared by the Clerk. **MOTION CARRIED 5-0.**

H. Discuss/Consider adoption of Ordinance 2017-01 to repeal TCG section 1.04 Ordinance Committee and amend TCG section 25.10 Rules for Adoption of the TCG Code of Ordinances: **MOTION** by Fonger/Anders to adoption Ordinance 2017-01 as presented. **MOTION CARRIED 5-0.**

I. Discuss/Consider Dane County Zoning Ordinance Draft: Hampton asked if there is any interest in having the Town's planner and/or attorney review the draft at this point. Anders suggested holding off as the draft is still changing. There was no action taken.

J. Discuss/Consider sales tax on rental fees for Town facilities: The Treasurer reported that she learned from a recent WTA newsletter that the Town should be charging sales tax for hall rental. The question is whether to include rental fees in the charge or charge them on top of the current fees. **MOTION** by Williams/DuPlayee to increase the fees to incorporate sales tax, rounded up to the next whole dollar amount. **MOTION CARRIED 5-0.**

K. Discuss/Consider amending the Personnel Policy and Procedures Manual regarding use of accumulated sick leave to pay post-retirement health insurance premiums: The Clerk had gathered such policies from several other municipalities. Discussion was to include a requirement that the retiring employee be at least 55 years of age and have at least 10 years of consecutive service with the Town. Employees should have a one time choice whether to take a 50% payout of their accumulated sick leave balance, or apply it toward health insurance premiums. Consensus was for the Clerk to draft what was discussed for the next meeting.

L. Discuss/Consider approval of 2018 negotiations for a boundary agreement with the City of Madison: Hampton reported that he inquired at the recent Yahara Neighborhood meeting whether the City would be interested in pursuing a boundary agreement with the Town. Rick Roll took it to Mayor Soglin, who said he would be interested but not until 2018. **MOTION**

by DuPlayee/Williams to budget for pursuit of a boundary agreement in 2018. **MOTION CARRIED 5-0.**

M. Discuss/Consider agenda items for the Annual Town Meeting on April 18th: Items discussed included an update on Deer-Grove EMS' new ambulances, update on the TDR program, discussion of bike trails.

III. CLERK'S OFFICE UPDATE: The clerk reported that there were 355 voters at the Spring Primary.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. The utility trailer sold within 24 hours to a local party, and the new trailer has been received.

B. An overweight crane truck was caught on Lotus Lane. The crane was there to remove a tree branch from the roof of a house. The driver will be cited for not obtaining an overweight permit.

C. The bridge on County AB will be closed for reconstruction.

V. BOARD REPORTS AND COMMUNICATIONS

A. Hampton reported receiving notice of an air pollution control permit application by Hydrite Chemical, and of the application deadline for a Dane County Urban Water Quality grant.

VI. COMMITTEE REPORTS

A. Deer-Grove EMS Commission: The committee is working on the Chief's annual evaluation, and still talking about consolidation with Marshall and Cambridge EMS. The new ambulances are in production.

B. Joint Town/Village Fire Department Committee: Discussion on staffing was held.

C. Emergency Government Committee: There have been no emergencies.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:18 P.M.

Kim Banigan, Clerk
Approved 03-20-2017

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MARCH 20, 2017

PUBLIC HEARING FOR PROPOSED IMPROVEMENTS TO INTERSECTIONS OF NORA AND UPHOFF AND RIDGE AND N. JARGO ROADS

I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel, Town Engineer Thomas TeBeest and Deputies Jennifer Grafton and Megan Berndt.

II. Hampton called the public hearing to order at 7:00 P.M.

III. Nora/Uphoff intersection: TeBeest displayed a drawing of the proposed new layout of the intersection, which he stated would improve safety and decrease maintenance issues. The proposed T intersection is drawn to County Road standards. In an effort to address concerns from the previous meeting:

- The grade is reduced from 4.5% to 3.5% to address concerns with speed needed to climb the hill. Standards are 6-8% and Nora at its steepest is 5.5%.
- Site distance for cars turning West onto Nora from Nora, and stopping distance for cars traveling west on Uphoff both meet standards.

Judy Phillips, 2414 Nora Road, said that changes to this intersection were considered 40 years ago and were stopped by a petition. She still feels they are not necessary and the expense is not justified. She understood that the grade was going to be taken down but that has never happened.

Otto Otteson, 2173 Nora Road, suggested eliminating the “cut-off” road turning east from Nora onto Uphoff, but leaving the curve on Nora. He pointed out that Nora is a Rustic Road, and that thousands of motorcycles and bicycles enjoy the road due to the curves. He did say, however, that if the intersection is left as it is, a curve ahead sign and something to discourage people from going straight are in order. He said he believes the Town is about local control, and all of the people in the room do not want the improvements made.

Virgil Schroeder, 3471 Earlwyn Road, wanted to know the reason for a change. Smith said to make it standard with other intersections. Schroeder does not believe the changes will make the hill easier to climb. He sees no problem with the intersection as it is and does not see it as a good place to spend the money. Hampton said this type of intersection would not be constructed today, and the Town has eliminated other Y intersections.

Sheila Olson, 2480 Nora Road, stated that the current intersection is not that bad and she can't see any reason to change.

Tammi Howell, 3511 Earlwyn Road, said the curve on the current intersection is what has allowed them to make it up the hill in bad weather, in fact they have opted to take the long way around to that curve when they were unable to climb the hill on the other end of Nora to get home.

Dylan Anderson, 2321 Uphoff Road, asked about the cost of the improvements. Estimates were $100,000 for the Nora/Uphoff intersection, and $74,000 for the Ridge/Jargo intersection.

IV. Jargo/Ridge intersection: TeBeest explained that the current site distance is less than recommended, and it is difficult to tell which way cars will travel. The proposed changes require moving one driveway. The landowner would like to keep their same address on Ridge Road even though the driveway would now be on Jargo. The County has deferred to the Town on this. The Post Office has no preference, nor does EMS. It was suggested that it be changed if the property ever changes owners. Improvements would include a T intersection and curve ahead signs.

Patti Duhr, 3881 W. Jargo Road, thought the improvements would be better as they would make people stop where they currently do not.

V. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 4-0.** The public hearing ended at 7:40 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting and attendance were as described for the public hearing above.

B. Hampton called the meeting to order at 7:40 P.M.

C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Anders to approve the minutes of the Town Board meeting held on March 6, 2017 as printed. **MOTION CARRIED 4-0**.

D. Finance Report and Approval of Bills: **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31265-31290 from Monona State Bank. **MOTION CARRIED 4-0.**

E. Public Concerns: Otto Otteson wanted to know how long the Town has had four supervisors. Nobody knew off hand, but he was wondering why not more, and Hampton explained that 4 supervisors is the maximum for Towns.

F. Road Right of Way Permits: Smith said Intercon, working for Wisconsin Power & Light, started work at Gaston and Brown Thrush with neither a right-of-way nor an overweight permit. **MOTION** by Anders/DuPlayee to permit Wisconsin Power & Light to drill underground across the right-of-way at Gaston near Brown Thrush for underground rebuild. **MOTION CARRIED 4-0.**

II. BUSINESS:

A. Review February Police Activities: Deputy Grafton introduced Deputy Megan Berndt, who will replace Deputy Brian Biwer while he is away at K9 training. Grafton said it was a busy month for calls but there were no major crimes. The monthly report showed 152 calls for service and 89 citations issued.

B. Discuss/Consider approval of improvements to the intersections at Nora/Uphoff and Ridge/N. Jargo roads:

1. Nora/Uphoff Intersection: Fonger suggested a compromise configuration: Since no one seems concerned about losing the East leg of the current intersection, eliminate the East leg and reconfigure the West leg to be a safe intersection from all directions with proper drainage. TeBeest advised that to do this will require eliminating some of the banking on the curve. **MOTION** by Fonger/DuPlayee to re-draw the improvements to eliminate the East leg of the current intersection, use the West leg as the new road, with improvements as needed for safety and drainage. **MOTION CARRIED 4-0.**

2. Jargo/Ridge intersection: **MOTION** by Anders/DuPlayee to approve the improvements as presented. **MOTION CARRIED 4-0.**

The Clerk will publish an advertisement for bids to be considered on April 17th.

C. Discuss/Consider approval of a second driveway for Jim Weber at 3716 Crestview Dr.: Mr. Weber presented a sketch of the proposed new driveway off of Bass Road leading to his shop. Smith indicated that he is OK with the proposal. **MOTION** by Anders/DuPlayee to approve the second driveway off of Bass Road for 3716 Crestview Dr. when grading occurs for extension of Bass Road for Viney's addition to Sky High. Smith will determine the need for a culvert. **MOTION CARRIED 4-0.**

D. Discuss/Consider applying for bridge aid for the bridges on Uphoff and Femrite Roads: Smith said that the latest bridge report rates both the Femrite and Uphoff Road bridges under 50, which

is the threshold for qualifying for Federal bridge aid. The County recommends applying for aid for both bridges as it can take 5-10 years to get approved. Funding is 80/20 Federal Government/Town. TeBeest has the paperwork, which is due July 31st. The aid comes in two stages: design and construction, and they do not need to be awarded in the same year. Once the design is accepted, we would have 10 years to complete construction. TeBeest gave a rough estimate of $230,000 for the Uphoff bridge and $160,000 for the Femrite bridge. His estimates include engineering and approach work. **MOTION** by DuPlayee/Anders directing TeBeest to move forward with applying for aid for both bridges. **MOTION CARRIED 4-0.**

E. Discuss/Consider adoption of Resolution 2017-01 Amending Hall Rental Fees: The Resolution would adopt fees to incorporate sales tax. **MOTION** by DuPlayee/Anders to adopt Resolution 2017-01 as presented. **MOTION CARRIED 4-0.**

F. Discuss/Consider updates to the Town's Hazard mitigation plan: The Town Chair and Clerk had red-lined a draft prepared by the County based on the 2009 plan. **MOTION** by Fonger/DuPlayee to forward the plan back to the County with the changes indicated. **MOTION CARRIED 4-0.**

G. Discuss/Consider amending the Personnel Policy and Procedures Manual regarding use of accumulated sick leave to pay post-retirement health insurance premiums: There is currently no interest in this by employees. **MOTION** by Hampton/DuPlayee to table indefinitely. **MOTION CARRIED 4-0.**

III. CLERK'S OFFICE UPDATE: The clerk distributed copies from Atty. Susan Allen regarding the plans for re-codifying ordinances.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Seasonal weight limits are still in effect

V. BOARD REPORTS AND COMMUNICATIONS

A. Everyone on the board received notice from the DOT of an open house on April 3rd regarding the I-39/90 North Section reconstruction.

B. Information was received from the Dept. of Ag, Trade and Consumer Protection for those opting out of Farmland Preservation.

C. The WisDOT I-39 & US 12/18 (Madison Beltline) Interchange - Indirect & Cumulative Effects Expert Panel met on March 1.

VI. COMMITTEE REPORTS

A. Deer-Grove EMS Commission: The commission saw the preliminary 2016 Financial Statements at the March meeting. The final statements will be presented to the municipal boards on April 20th. There will also be a 5:00 P.M. meet and greet with one of the new ambulances available, followed by an awards ceremony for DGEMS members at 5:30.

VII. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:50 P.M.

Kim Banigan, Clerk
Approved 04-03-2017

TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2017-01

A RESOLUTION AMENDING HALL RENTAL FEES

WHEREAS, section 07.02 of the Town of Cottage Grove Code of Ordinances authorizes the Town Board to establish certain fees by resolution; and

WHEREAS, TCG Ord. sec. 07.01(2)(b) indicates that the Town Board may amend such fees at any time;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, does hereby adopt the following fees to be effective upon posting:

Hall Rental Fees (Town Hall or Flynn Hall) [TCG 07.02(5)]
User Fee – Town or Village of Cottage Grove Resident.....$132.00
User Fee - Non Resident.....$422.00
Security Deposit.....$50.00

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 4 for and 0 against and 0 abstentions on this 20th day of March, 2017.

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 3, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan and Treasurer Debra Abel.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Anders to approve the minutes of the Town Board meeting held on March 20, 2017 as printed. **MOTION CARRIED 4-0**-1 (Williams abstained).

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31291-31322 from Monona State Bank. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/DuPlayee to approve March per diems as presented, and payment of $4,058.00 to Viken Inspection Agency, LLC for March building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve two permits for Wisconsin Power & Light: 1) Directional drill cable replacement in Ravenwood Estates and 2) Replacement of overhead with underground cables in the Bohnsack and Capital View subdivisions. **MOTION CARRIED 5-0.**

II. BUSINESS:

A. Plan Commission Recommendations:

1. Royal Oak Associates/Tim Thorson, applicant, Screamin' Norwegian Farms LLC, landowner: Nola and Neli Skaar were present.

a) Parcel 0711-351-9501-0 at 1864 US Hwy 12 & 18: seeking rezone of 1.3 acres from A1-EX to R-3A to separate a 2-unit family residence: An email from Thorson said that the Skaars wish to amend the zoning from R-3A to R-1A, and cited an email from Dane County Zoning Administrator Roger Lane recommending that to go this route, a legal document will need to be created during the CSM process to identify a specific date to convert the house into a single family residence within less than a year. By doing this, no RDU will be needed for the land division. Williams questioned why they are only requesting 1.3 acres to be split off, which just clears the buildings. She didn't think this seemed like enough land to interest buyers who want to live in the country, especially if they want to have some animals. Nola Skaar said they prefer not to repeat bad experiences with neighbors with animals, and people will find other uses for the buildings, or take them down. **MOTION** by Hampton/DuPlayee to approve a rezone of of 1.3 acres from A1-EX to R-1A, with the house converted back to a single family residence within one year of the County's approval of the rezone. **MOTION CARRIED 4-1** (Williams opposed).

b) Parcel 0711-351-9000-1 at 1924 US Hwy 12 & 18: seeking rezone of 1.3 acres from A1-EX to R-1A to separate a single family residence: **MOTION** by DuPlayee/Anders to accept the Plan Commission's recommendation to approve the rezone of 1.3 acres from A1-EX to R-1A to separate a single family residence. The second residence on the property must be removed when the property is sold. **MOTION CARRIED 4-1** (Williams opposed).

2. Discuss/Consider Dane County Ordinance Amendment 83, 2016 regarding authorizing electronic signs in the A-1EX Exclusive Agricultural District: The Clerk noted that there is already a substitute to this ordinance circulating at the County. The Plan Commission was not in support of the amendment, however Anders said the purpose is to allow electronic changes to signs no larger than what is currently allowed, and they could not be flashing or scrolling. **MOTION** by Anders/Williams to table for more information. **MOTION CARRIED 3-2** (DuPlayee and Hampton opposed).

B. Discuss/Consider approval of a Parade, Procession or Race permit for the Utica Antique Tractor Benefit Ride on July 8, 2017 to include Nora, Uphoff, West Ridge, Ridge, N. Jargo and Deerfield Roads: Richard Kapral represented the organizers of the ride and asked that the permit fees be waived due to the charitable nature of the event. Last year a donation was made to a young boy who needed cochlear implants. The Clerk reported that both Deputy Steven French and DGEMS Deputy Chief Lisa Antoniewicz cautioned that they should be sure to have spotters in bright vests to help them look for highway traffic when crossing Highway 12 & 18 (they should not try to direct or stop traffic). Kapral said they already have help lined up for this purpose. Smith pointed out that two intersections on the route may be undergoing construction on July 8th. **MOTION** by Fonger/Williams to approve a permit for the Utica Antique Tractor Benefit Ride on July 8, 2017 to include Nora, Uphoff, West Ridge, Ridge, N. Jargo and Deerfield Roads, waiving fees and notification requirements. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of the Memorandum of Agreement with Dane County for the 2017 Fly Dane project: The Town's cost at $1,956.62 is slightly less than what was budgeted. **MOTION** by Anders/Williams to approve the agreement as drafted. **MOTION CARRIED 5-0.**

D. Discuss/Consider enforcement of TCG 11.01 Regulation of Junk Accumulation in response to a complaint about 2226 Appaloosa Trail: There are complaints dating back to June of 2012 about junk accumulation on this property, with citations issued by the Dane County Zoning Inspector in 2012, 2014 and most recently last Friday. The owners have until April 10th to remove the junk or store it inside. There was discussion about whether to begin enforcement of the Town ordinance simultaneously, or wait to see if there is compliance with the County's order. **MOTION** by Fonger/DuPlayee to table until April 17th. **MOTION CARRIED 5-0.**

E. Discuss/Consider adoption of Resolution 2017-02 Appointing the Clerk to a three-year term: **MOTION** by Williams/DuPlayee to adopt Resolution 2017-02 appointing Kim Banigan as Town Clerk with term to expire at 12:00 midnight on April 30, 2020. **MOTION CARRIED 5-0.** Banigan said the responsibilities of the Clerk have grown considerably since she took the office in 2004, and the time is coming when the Board will need to consider extending her hours or getting more help. Williams indicated she would be in support of considering more hours for the Clerk, and Hampton said it could be discussed at budget time this fall.

F. Set 2017 road inspection dates: The annual Spring road inspection will be conducted beginning at 9:00 a.m. on Monday, April 24th. Board members should meet at the Town Garage.

III. CLERK'S OFFICE UPDATE: No report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

A. Smith presented updated maps of the intersections to be reconstructed. The advertisement for bids is set for publication April 1st and 8th, with the bid opening on April 17th.

B. Andrew Perry and Matthew Peterson have both successfully completed their 6 month probationary periods and all is going well, they both like it here.

C. The crew has been replacing signs as required to maintain reflectivity.

V. BOARD REPORTS AND COMMUNICATIONS

A. Hampton received copies of applications by the Village of Cottage Grove to CARPC for four new urban service areas.

B. Hampton met with the Village of Cottage Grove, CARPC and MPO about street connections. He told them he would only agree if the developer is required to pay for any improvements needed to Town roads as a result of new connections.

VI. COMMITTEE REPORTS

A. Joint Town/Village Landfill Monitoring Committee: Nothing to report.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:00 P.M.

Kim Banigan, Clerk
Approved 04-17-2017

TOWN OF COTTAGE GROVE

RESOLUTION 2017-02
A RESOLUTION APPOINTING THE TOWN CLERK
FOR A THREE YEAR TERM

BE IT RESOLVED that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin hereby appoints **Kim Banigan** to the office of Town Clerk for the term of office of three years to to expire at 12:00 midnight on April 30, 2020.

Adopted this 3rd day of April, 2017 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 17, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, Treasurer Debra Abel, Deputy Megan Berndt and Engineer Thomas TeBeest.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Anders to approve the minutes of the Town Board meeting held on April 3, 2017 as printed. **MOTION CARRIED 4-0.**

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31223-31375 from Monona State Bank, including voided check #31327. **MOTION CARRIED 4-0.**
2. The Treasurer asked that April per diem reports be submitted by April 28th.

E. Public Concerns: None.

F. Road Right of Way Permits:

1. **MOTION** by Anders/Fonger to approve three permits for Wisconsin Power & Light to replace natural gas service at 4235, 4243 and 4256 Vilas Road. **MOTION CARRIED 4-0.**
2. **MOTION** by Anders/Fonger to approve a permit for Charter Communications to directional bore in the 4200 block of Vilas Road. **MOTION CARRIED 4-0.**
3. **MOTION** by Anders/Fonger to approve a permit for Alliant Energy to install a new gas main at the intersection of Bass and Crestview to supply the new Viney subdivision. **MOTION CARRIED 4-0.**

II. BUSINESS:

A. Discuss/Consider awarding of bids for road and intersection improvements: Three bids were received at the bid opening earlier today:

Contractor	Base Bid Total	Supplemental Bid
R.G. Huston Co., Inc.	$113,177.60	$1,800.00
Nelson Excavating & Son LLC	$117,830.00	$600.00
Raymond P. Cattell, Inc.	$150,588.00	$948.00

TeBeest recommended accepting the low bid from R.G. Huston Co., Inc. **MOTION** by Fonger/DuPlayee to accept the bid from R.G. Huston Co., Inc. for $114,977.60. **MOTION CARRIED 4-0.** TeBeest suggested budgeting for a 10% overage contingency.

B. Review March Police Activities: Deputy Berndt commented that she is enjoying her time filling in for Deputy Biwer while he is in training with his new K9 officer. There were 174 calls for service in March, including several to assist the Village PD. There were 101 citations issued in March, mostly speeding and traffic related as usual. Hampton reported that Deputy French is on administrative leave while an incident is investigated, and Berndt is flexing her schedule to cover some of his hours.

C. Discuss/Consider approval of 2017-18 committee appointments: Hampton had prepared his recommendations. DuPlayee commented that he is disappointed to be removed from the Plan Commission, and feels being on the commission for just the one year makes it appear he was appointed for just one issue. **MOTION** by Anders/Fonger to approve the 2017-18 committee

appointments as recommended by the Town Chair, also including the Highway Superintendent and Weed Inspector. **MOTION CARRIED 3-1** (DuPlayee opposed).

D. Update on enforcement of regulation of junk accumulation in response to a complaint about 2226 Appaloosa Trail: The Clerk received notice from the Dane County Zoning Inspector that the violations have been corrected, and has not heard any more from the complainant.

III. CLERK'S OFFICE UPDATE: Dane County Zoning Inspector Russel Bartlett retired suddenly, and Scott Schroeckenthaler is currently providing inspection services to the Town. There were 630 voters for the Spring election, and everything went smoothly.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Smith reported that they have been touching up shoulders and have mowed once already. He discovered that a catch basin at the Emergency Services Building has suffered significant erosion.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton has met with representatives of Drexel Building Supply who are looking for a location to build a lumber yard in the Town of Cottage Grove.

VI. COMMITTEE REPORTS

A. Emergency Government Committee: Fonger reported the committee continues to work toward the big training event to be held in September, and that the April tabletop exercise went well.

VII. Adjournment: **MOTION** by Anders/Fonger to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 7:34 P.M.

Kim Banigan, Clerk
Approved 05-01-2017

TOWN OF COTTAGE GROVE
2017 ROAD INSPECTION
APRIL 24, 2017

I. Notice of the road inspection was properly posted at the Town Hall, and on the Town's internet site. Chairman Kris Hampton, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee and Highway Superintendent Jeff Smith met at the Town Garage at 9:00 A.M.

II. Hampton called the meeting to order and attendees proceeded to conduct an inspection of roads selected by Smith.

III. **MOTION** by Fonger/DuPlayee to adjourn at 10:40AM. **MOTION CARRIED 4-0.**

Submitted by Kris Hampton
Approved 05-01-2017

TOWN OF COTTAGE GROVE
SPECIAL TOWN BOARD MEETING
APRIL 24, 2017

I. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were in attendance, along with Clerk Kim Banigan and Attorney Connie Anderson. Hampton called the meeting to order at 12:05 P.M.

II. Consider/Adopt motion to move into closed session pursuant to §19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved associated with Town building inspection services. **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED 4-0 BY ROLL CALL VOTE.** The closed session began at 12:06 P.M.

III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session. **MOTION** by DuPlayee/Williams to arise from closed session. **MOTION CARRIED 4-0 BY ROLL CALL VOTE.** The closed session ended at 12:34 P.M. **MOTION** by DuPlayee/Williams that the Town Board has reviewed the affidavit filed by Tom Viken with Circuit Court Branch 9 on April 13, 2017, and finds that it does not reflect the position of the Town Board or the Town of Cottage Grove. The Town Chair is directed to work with the Clerk to advise Mr. Viken that a supplemental affidavit should be filed indicating his status as an independent contractor, and that he should review the building permit application filed on this matter to determine if the building permit was or was not property issued. **MOTION CARRIED 4-0.**

IV. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 12:37 P.M.

Kim Banigan, Clerk
Approved 05-01-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 1, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, and Treasurer Debra Abel.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s):

1. **MOTION** by DuPlayee/Fonger to approve the minutes of the Town Board meeting held on April 17, 2017 as printed. **MOTION CARRIED 4-0-1** (Williams abstained).

2. **MOTION** by Williams/DuPlayee to approve the minutes from the 04-24-2017 Road Inspection. **MOTION CARRIED 4-0-1** (Anders abstained).

3. **MOTION** by DuPlayee/Williams to approve the open session minutes of the Special Town Board meeting on April 24, 2017 as printed. MOTION CARRIED 4-0-1 (Anders abstained).

4. **MOTION** by DuPlayee/Williams to approve the closed session minutes from April 24, 2017 as printed, and to keep them closed until the matter is resolved. **MOTION CARRIED 4-0-1** (Anders abstained).

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31376-31400 from Monona State Bank, including voided checks #31397-31400. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/DuPlayee to approve payment of April per diems as presented, and payment of $3,996.00 to Viken Inspection Agency, LLC for April building permits, but holding the check until the one unsigned application fee check is signed. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: None, but Smith had a question for the board about fees. He recently approved billing Wisconsin Power & Light for 40 borings based on the number of excavations, one hole on each end of the boring. Wisconsin Power & Light has questioned this, and Smith wondered what the board's intent is as it is not clear in the ordinance or on the permit application. Since the application was based on the County's, Smith will ask what they do and this can be put on the next agenda.

II. BUSINESS:

A. Discuss/Consider approval of a second Driveway for 2575 Bass Road: Carol Marshall explained the ditches planned with the extension of Bass Road for the Viney subdivision will make it impossible for her handicapped brother to walk to his car, so she would like to put a second driveway with a parking pad for him to use. She presented a sketch of her idea, which Smith said would not be a problem. There would be 75 feet between the two driveways and 45-50 feet between the new driveway and the corner. **MOTION** by DuPlayee/Williams to approve the second driveway for 2575 Bass Road as presented. **MOTION CARRIED 5-0.**

B. Discuss/Consider approval of a reservation of Elmargo Park for a wedding reception on July 29, 2017: Brian Weinkauf was in attendance, along with neighbors from 2643 and 2446 Bluebird who indicated their support. The Clerk had mailed notice to all properties adjacent to the park. Weinkauf said they expect 150+ guests, and would like to use the park for lawn games along with use of the basketball court. They will bring in a porta-potti. He asked about a bounce house, but board members thought that would be best kept on private property for liability purposes.

MOTION by Fonger/Williams to approve the reservation of Elmargo Park for a wedding reception on July 29, 2017, allowing for a porta-potti on the park grounds but not a bounce house. **MOTION CARRIED 5-0.**

C. Discuss/Consider response to DOA survey regarding Helgeland Family Farm, LLC Annexation Petition: The Clerk had completed the facts about the property. The board discussed adding the following concerns:

1. Adjacent to the proposed territory to be annexed there is an operating, non-conforming non-metallic mining site with potential for blasting.
2. There is potentially limestone near the quarry that could limit excavation for basements and sewers.
3. The Village already has drainage issues in this area (Conservancy Ct), and the field floods every year. How will water runoff be handled if developed?

MOTION by DuPlayee/Anders to approve the response to the DOA survey regarding Helgeland Family Farm, LLC Annexation Petition, with the addition of the comments above. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Smith said the Town of Dunn will soon take delivery on their new truck, freeing up their old one for us to purchase, and asked about having a check ready. Consensus was since the amount was already approved by the board, a check can be cut when needed. He has been dealing with Frontier Communications over a cable buried under the Bass Road easement that is not deep enough to allow for the new road. It has been a road easement since the original subdivision. The Town Engineer is coming out tomorrow to assess the situation. Crews have been painting the interior of the Town Hall during the rainy weather. They have started rolling parks and mowing, the new trailer is in use. There has been more failure with the catch basin at the Emergency Service Building.

V. BOARD REPORTS AND COMMUNICATIONS: Attendees for the May 17th DCTA meeting will be on the next agenda.

VI. COMMITTEE REPORTS

A. Plan Commission: The commission adopted a resolution recommending a Comprehensive Plan amendment. Dates were considered for the public hearing before the board, consensus was June 12th. Fonger questioned the agenda item regarding taking the Hammond request off the table. Hampton explained that the commission had tabled it at the March meeting, and as per Robert's Rules of Order a motion must be adopted to take it back off the table so it can be considered. That was the case on April 26th, and it was included in the Comprehensive Plan amendment recommended by the Plan Commission.

B. Deer-Grove EMS Commission: Williams reminded everyone of the pancake breakfast and safety fair coming up on May 6th.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:46 P.M.

Kim Banigan, Clerk
Approved 05-15-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 15, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all present, along with Highway Superintendent Jeff Smith, Clerk Kim Banigan, and Treasurer Debra Abel.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s):

1. **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on May 1, 2017 and the road bid opening on May 11, 2017 as printed. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31401-31431 from Monona State Bank, including voided check #31404. **MOTION CARRIED 5-0.**

2. The Treasurer asked that May per diem reports be submitted by June 2nd, and reported that the office credit card number was stolen. She is working with the bank on the fraudulent charges.

E. Public Concerns: Dave Muehl, 1682 County Road BB, reported that he spoke with leaders from the City of Sun Prairie who have agreed to work with property owners to help clean up the Koshkonong Creek. Flow from the City of Sun Prairie's sewage treatment plant into the creek has increased from from 2.4 million gallons/day to 3 million gallons/day since 1998, which, when combined with stream blockages, has resulted in substantial downstream flooding. There are at least nine major blockages between Highway 73 and County BB. A new non-profit Friends of Koshkonong Creek group is forming, and the Capital City Water Trails group has also offered assistance. Muehl has indications from the warden at the Thompson Correctional Center that prisoners could be hired to do some of the work. Muehl asked if the Town Board would consider cost sharing with other affected municipalities to pay the prisoners. He estimated the Town's share to be in the $5,000 range. Hampton told him to come back with a firm cost and the Board can decide whether it is affordable in 2017 or will need to be considered with the 2018 budget.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review April police activities: There were 197 calls for service in April and 90 citations issued, 51 for speeding.

B. Discuss/Consider awarding of bids for 2017 re-paving and seal coating projects: Two re-paving bids and one seal coating bid were received:

Bidder	Re-Paving Cost/ton	Sealcoating Cost/20' mile
Wolf Paving & Excavating of Madison, Inc.	$54.59(Average)	
Payne and Dolan, Inc.	$57.85	
Scott Construction, Inc.		$16,574.00 (single seal) $28,346.00 (double seal)

MOTION by DuPlayee/Williams to award the re-paving bid to Wolf Paving & Excavating of Madison, Inc., and the seal coating bid to Scott Construction, Inc., to include double-sealing of Nora and Femrite Roads, not to exceed the budgeted amount. **MOTION CARRIED 5-0.**

C. Discuss/Consider driveway width requirements for 4437 Ridge Road: Property owner Peter Miller has discovered that the amount of impervious surface resulting from the required driveway and home he intends to build will put him too close to the County's impervious surface limit to allow for

an outbuilding without installing a retention area. The neighboring property at 4433 Ridge Road shares the eastern portion of the driveway through an easement, but 4437 Ridge Road is charged with the entire impervious surface of the driveway. Board members were not inclined to approve a driveway any narrower than the ordinance allows due to concerns over emergency vehicle access. Consensus was for the Clerk to contact Roger Lane from Dane County Zoning and Jason Tuggle from Dane County Land and Water Resources to see if any consideration could be given for assigning a portion of the impervious surface of the driveway to 4433 Ridge Road, and invite Jason Tuggle to the June 5th Town Board meeting.

D. Discuss/Consider selling 2007 GMC one-ton dump truck: Smith reported that unfortunately the transmission on the 2007 GMC recently failed, and is currently being replaced at a cost of $3,842.00. **MOTION** by Hampton/DuPlayee to put the 2007 GMC one-ton dump truck up for sale with a minimum selling price of $15,000.00. **MOTION CARRIED 5-0.**

E. Discuss/Consider definition of "boring" for Road right-of-way permit billing: Smith reported that the County permit, which is the basis for the Town's permit, counts the holes on each side of the road as one boring as opposed to how Smith had been interpreting it as two, one for each hole. Consensus was to charge once per boring to include both sides of the road. **MOTION** by Hampton/Anders to direct Atty. Allen to incorporate this into the ordinance with re-codification. **MOTION CARRIED 5-0.**

F. Consider attendees for May 17, 2017 Dane County Towns Association meeting: Anders and DuPlayee will attend.

G. Discuss/Consider an additional speed limit sign on Vilas Road south of US Hwy 12 & 18: A resident made this request after observing higher traffic on this stretch due to closures of County Roads AB and N during construction. The Clerk reported that she has already asked the deputies to step up speed limit enforcement in this area. **MOTION** by DuPlayee/Hampton to table until the June 19th meeting, to allow time to see if additional enforcement solves the problem, and to get their input on additional signage. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: The past week has been plagued with equipment problems, including the transmission in the 2007 GMC, a bad switch in the grader, and a wiring short in the new loader. They have been patching roads and spraying weeds in the parks. Crack filling is complete.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton received notice of a review of Hydrite's air pollution control permit.

VI. COMMITTEE REPORTS

A. Emergency Government Committee: The May meeting was a short one. The July meeting is moved to July 12th for a drill from 5:30-9:00 P.M.

B. Deer-Grove EMS Commission: Williams reported that the Deer-Grove EMS pancake breakfast and safety fair was excellent, good food and great resources.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:18 P.M.

Kim Banigan, Clerk
Approved 06-05-2017

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
June 5, 2017

PUBLIC HEARING – 2017-18 ALCOHOL BEVERAGE LICENSE APPLICANTS

I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 25, 26, 27, 2017, as well as posted at the Town Hall and on the Town's internet site.

II. Town Chair Kris Hampton called the public hearing to order at 7:00 P.M. Others present: Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee, Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and others as evidenced by the sign in sheet available in the Clerk's office.

III. Hampton read the list of applicants and asked if there were any questions or comments from the public, there were none.

IV. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

PUBLIC HEARING – 2017-18 NON-METALLIC MINING PERMIT APPLICANTS

I. Notice of the public hearing was posted at the Town Hall and on the Town's internet site, as well as emailed to those parties who had requested to be notified of such events.

II. Town Chair Kris Hampton called the public hearing to order at 7:01 P.M. Others present were the same as listed for the public hearing above.

III. Hampton read the list of applicants and asked if there were any questions or comments from the public, there were none.

IV. **MOTION** by DuPlayee/Fonger to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:02 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendance was the same as the public hearings above.

B. Hampton called the meeting to order at 7:02 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on May 15, 2017 as printed. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by Williams/DuPlayee to approve payment of bills corresponding to checks #31432-31468 from Monona State Bank. **MOTION CARRIED 5-0.**

2. **MOTION** by DuPlayee/Fonger to approve payment of May per diems as presented, and payment of $3,458.00 to Viken Inspection Agency, LLC for May building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Discuss/Consider approval of July 1, 2017– June 30, 2018 Alcohol Beverage Licenses:

1. Combination Class B Beer and Class B Liquor Licenses: **MOTION** by Fonger/DuPlayee to approve July 1, 2017 – June 30, 2018 Combination Class B Beer and Liquor licenses for the following:

Ball of Fun, LLC, d.b.a. Doubleday's
Debra Stueber, Agent
4586 Baxter Road
Cottage Grove, WI 53527
Per application, premises to include: Upstairs and downstairs bars, banquet hall, deck, bowling alley, ball diamonds, horseshoe area, volley ball court.

Door Creek Golf Course, Inc.
Phillip C. Frederickson, Agent
4321 Vilas Road
Cottage Grove, WI 53527
Per application, premises to include: Indoor and outdoor bars, snack bar, beverage carts, banquet room, patio and pro shop.

Nora's Tavern, Inc.
Timothy Kluever, Agent
1843 HWY 12 & 18
Deerfield, WI 53531
Per application, premises to include: Entire building, parking lot and all outside areas.

Country Corners, LLC
Patricia Jean Youngs, Agent
3737 CTH AB
McFarland, WI 53558
Per application, premises to include: Interior of building, smoking deck and outside patio.

MOTION CARRIED 5-0.

2. Operator's and Manager's Licenses: The Clerk provided a list of applicants (attached as Exhibit A) which noted that there was one operator's license applicant with a recent alcohol related offense. The applicant was present, accompanied by Patricia Youngs, who urged the board to approve the license. She said the applicant is fighting the charge, and she felt there was precedence for approval in this situation.

   MOTION by DuPlayee/Williams to approve July 1, 2017 – June 30, 2018 Operator's licenses for all of the applicants except Colleen White, tabling her application until the first meeting in July, pending the outcome of her June 23rd pre-trial hearing. **MOTION CARRIED 4-1** (Fonger opposed).

   MOTION by Fonger/Anders to approve July 1, 2017 – June 30, 2018 manager's licenses for all four applicants. **MOTION CARRIED 5-0.**

B. Discuss/Consider approval of July 1, 2017– June 30, 2018 Non-metallic Mining Permits: None of the applications proposed any changes to the conditions of the expiring permits. **MOTION** by DuPlayee/Fonger to approve July 1, 2017– June 30, 2018 Non-metallic Mining Permits for the following locations:

- **Gaston Road Quarry – 2543 Gaston Road**
  Operator: Wade and Brad Huston, R.G. Huston Company, Inc., 2561 Coffeytown Road, Cottage Grove, WI 53527

Landowner: Huston Holdings, LLC, 2561 Coffeytown Road, Cottage Grove, WI 53527
Conditions: Hours of Operation 6:00 A.M. to 6:00 P.M, Monday – Saturday

- **Skaar Pit – 3355 County Road N**
  Operator: Wade and Brad Huston, R.G. Huston Company, Inc., 2561 Coffeytown Road, Cottage Grove, WI 53527
  Landowner: Huston Living Trust, 2561 Coffeytown Road, Cottage Grove, WI 53527
  Conditions: 6:00 A.M. to 6:00 P.M., Monday – Friday, 8:00 A.M. to 3:00 P.M. Saturday, as per Dane County CUP #2300.
- **2294 US Highway 12 & 18**
  Operator: Wade Cattell, Raymond P. Cattell, Inc., 2401 Vondron Road, Madison, WI 53718
  Landowner: Rocky Rights LLC, 2401 Vondron Road, Madison, WI 53718
  Conditions: 6:00 A.M. to 6:00 P.M., Monday –Saturday. In the interest of public health, safety and welfare, no hauling shall occur outside of the above hours EXCEPT where (1) material is required to assist with an emergency or contract that requires night work AND (2) prior notice is given to the Town by email (clerk@towncg.net) and/or phone (608-839-5021 ex. 32). Prior notice by both methods is preferred, prior notice by one method is REQUIRED.

C. Plan Commission Recommendations:

1. Kyle Klawitter, - parcels 0711-233-8000-6 and 0711-234-8500-0 at 1939 Hubred Lane: (Reconfiguration of previous request.) Requesting rezone of 4.0 acres from A-1EX to RH-1 for the sale of 2 residential lots of 2 acres each, and rezone of 25.4 acres from A1-EX to A-4: The Plan Commission recommendation had stipulated that the Town Board approve the placement of the cul-de-sac at the end of Hubred Lane. Smith indicated he approves of the offset bulb shown on the preliminary CSM presented tonight. Williams questioned the width of Hubred Lane, but Smith said it is as wide as many of the other town roads that were originally farm driveways. Williams also questioned whether the creation of the flag-shaped Lot 1 would lead to potential headaches with maximum impervious surface requirements. The Clerk noted that Pam Andros from Dane County had advised her that there will need to be an access easement on Lot 1 for the 35.1 acres to the west, and that potential buyers should be made aware of it as it will affect the building envelope. Klawitter questioned the need for an easement, stating that the 35.1 acres will only be offered for sale to the buyer of Lot 1, however the board said it would be necessary in case the new owner tries to sell the two lots separately in the future. **MOTION** by Anders/DuPlayee to approve the rezone as shown on preliminary CSM drawing #4975-17 dated 06/03/2017, with Lots 1 and 2 at RH-1, Lot 3 at A-4, and the remaining 72.1 acres remaining as A-1EX. Final CSM must show an access easement for the 35.1 acre lot and road vacation/dedication will need to be recorded to adjust the position of the cul-de-sac from the current right-of-way. Owner is responsible for construction of the cul-de-sac to town road standards. There are no RDUs remaining on the farm after the creation of the two residential lots. **MOTION CARRIED 5-0.**
2. Royal Oak Associates, Applicant, Screamin' Norwegian Farms, LLC, Landowner: Parcel 0711-264-9502-0 on Skarstinden Road: Requesting rezone of 2.54 from A-1(EX) to R-1A for a single family residence: **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 2.4 acres from A1-EX to

A-2 to create a residential lot, noting that the lot exceeds the 2.0 acre maximum to allow for lot lines to align with adjoining lots. A 35 acre parcel will need to be deed restricted to provide the RDU for this new lot. **MOTION CARRIED 5-0.**

3. Daniel Viney, Applicant, Viney Acres, LLC, Landowner: Parcel 0711-352-9502-0 at 1994 US Highway 12 & 18: Requesting rezone of 2.54 acres from A1-EX to A-2 to create a residential lot. Hampton said the WDOT has approved a new driveway to replace the one 2064 US Hwy 12&18, which will be at a safer location and will be shared with this new lot as well as providing field access. **MOTION** by Williams/DuPlayee to accept the plan commission recommendation to approve a rezone of 2.4 acres from A1-EX to A-2, noting that the lot size exceeds the 2.0 acre maximum to allow for distance from US Hwy 12 & 18 in the event that the highway is widened in the future. A 35 acre parcel must be deed restricted to provide the RDU for this new lot. **MOTION CARRIED 5-0.**
4. Discuss/Consider whether to honor density studies completed during the period when the Comprehensive Plan did not count separation of the original farm house as an RDU used: **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to honor the density studies performed since the 2015 version of the comprehensive plan was adopted until such time that the Town Board adopts an amendment requiring the use of a RDU to separate an original farm house. **MOTION CARRIED 5-0.**

D. Discuss/Consider driveway width requirements for 4437 Ridge Road: Since the discussion on this topic at the last meeting, the Clerk consulted with Jason Tuggle, Urban Erosion Control Analysis with Dane County, and learned that since the shared driveway would be necessary for access to 4437 Ridge Road with or without the other house using it, the entire impervious surface area of driveway must be counted with 4437 Ridge Road. Property owner Peter Miller would like to put up a shed, but does not want to have to bear the engineering cost of a stormwater management permit to exceed the 20,000 sq. ft. of impervious surface. Town Ordinance calls for a 16' improved surface for a driveway, however Smith would prefer 18'. Miller asked if the Town would accept a breaker run base covered with dirt and grass on a portion of the driveway to reduce the impervious surface area, but Smith said that would turn to mud during wet weather and the rock would eventually silt in. Smith suggested that the driveway could be dedicated to the Town with an agreement that it would be maintained by the property owner, but there was little interest in that option. The Town Board was not willing to accept Miller's suggestion of reducing it to 13', and in the end Miller said he could live within the impervious surface limits with a 16' driveway.

E. Discuss/Consider approval a Parade, Procession or Race Permits for June 17, 2017 – Erik Severson (applicant), Cottage Grove Fire Department (Hot2Trot): Foot race to include portions of Clark Street, Vilas Road, and Damascus Trail between 8:00 A.M. and 9:30 A.M.: **MOTION** by Hampton/Williams to approve the Parade, Procession or Race Permit, waiving all fees. **MOTION CARRIED 5-0.** Severson provided the necessary copies of a letter to notify affected Town residents.

F. Discuss/Consider creating a 4 way stop at the intersection of Bonnie Avenue and Valley Road: A resident stopped Deputy French and suggested this due to safety concerns. Smith said the intersection does not meet any of the criteria for a 4-way stop. **MOTION** by

DuPlayee/Fonger to accept the Public Works Department recommendation to not install a 4-way stop at this location. **MOTION CARRIED 5-0.**

G. Discuss/Consider whether to provide comments for the City of Madison's comprehensive plan update: **MOTION** by DuPlayee/Anders to continue to monitor the update and provide input as appropriate. **MOTION CARRIED 5-0.**

H. Discuss/Consider whether to invite a presentation by CARPC about A Greater Madison Vision: **MOTION** by Williams/DuPlayee to invite the presentation to the next meeting. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE.

- The 2012 truck purchased from the Town of Dunn is in service.
- There has not been any serious interest in purchasing the 2008 truck.
- The Town was able to obtain 40 loads of free black dirt.
- Culverts on Nora Road will be replaced soon

V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Village has two annexations on their agenda tonight. He received two mailings fromm the League of Wisconsin Municipalities asking for participation in programs related to MS4 permit compliance. There was no interest in either from the board. He also received notice from Hydrite of a request to the WDNR for a Class 1 modify to their Feasibility Plan of Operation.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Both new ambulances are in service and the 2012 Lifeline ambulance was sold to a service in Iowa for more than the budgeted amount.

B. Joint Town/Village Landfill Monitoring Committee: There were no detects on the monitoring wells. There are two new Village members on the committee.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:44 P.M.

Kim Banigan, Clerk
Approved 06-19-2017

Exhibit A

2017-18 Operator's License Applicants

New/Renewal	Last Name	First Name	Establishment
Renewal	Erickson	Pamela J.	Country Corners
Renewal	Kadrmas	Sue M.	Country Corners
Renewal	Krawczyk	Michael J.	Country Corners
Renewal	Larson	Brooke A	Country Corners
Renewal	Lust	Adam C.	Country Corners
Renewal	Smith	Ian M.	Country Corners
Renewal	Smith	Tammy J.	Country Corners
Renewal	St. Dennis	Sandi	Country Corners
Renewal	Warden	Tanya M	Country Corners
New	White	Colleen C.	Country Corners
New	Counts	Alexandra N.	Door Creek Golf Course
Renewal	Frederickson	Kristin Z.	Door Creek Golf Course
Renewal	Hoekstra	Sydney	Door Creek Golf Course
Renewal	McGuinty	Christine E	Door Creek Golf Course
New	Zamzow	Elizabeth J.	Door Creek Golf Course
New	Yahn	Gyllian	Door Creek Golf Course
New	Hellmann	Samantha R.	Door Creek Golf Course
New	Andrews	Abigail E.	Door Creek Golf Course
Renewal	Archer	Bernadette L.	Doubledays
Renewal	Banigan	Kyle F.	Doubledays
Renewal	Kratochwill	Becky J.	Doubledays
Renewal	Moen	Nancy A.	Doubledays
Renewal	Salzwedel	Lorelei A.	Doubledays
Renewal	Stueber	Anna M.	Doubledays
Renewal	Stueber	Mark A.	Doubledays
Renewal	Stueber	Riva M.	Doubledays
Renewal	Calvert	Brittany J.	Nora's Tavern
Renewal	Fuller	Tammy L.	Nora's Tavern
Renewal	Hudson	Dawn M.	Nora's Tavern
Renewal	Hudson	Katrina L.	Nora's Tavern
Renewal	Kluever	Helen E.	Nora's Tavern
Renewal	Linnerud	Jaimee L.	Nora's Tavern
Renewal	Schmidt	Jason M.	Nora's Tavern
Renewal	Shapiro	Michelle L.	Nora's Tavern
Renewal	Simle	Jason M.	Nora's Tavern
Renewal	Slater	Rebecca A.	Nora's Tavern
Renewal	Wood	Marcia L.	Nora's Tavern
New	Hopping	Bryan J	Badger Farms (unlicensed)

2017-18 Manager's License Applicants

New/Renewal	Last Name	First Name	Establishment
Renewal	Kennedy	Matthew J.	Door Creek Golf Course
Renewal	Purvis, Jr.	Robert A.	Door Creek Golf Course
Renewal	Stueber	Gary F.	Doubledays
Renewal	Kluever	Sheryl L.	Nora's Tavern

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND SPECIAL TOWN BOARD MEETING
June 12, 2017

PUBLIC HEARING – PROPOSED AMENDMENT TO COMPREHENSIVE PLAN

I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 12, 2017. Notice was also posted at the Town Hall and on the Town's internet site, and provided as required pursuant to secs. 66.1001(4)(e) and (f), Stats.

II. Town Chair Kris Hampton read the notice of the public hearing, and called it to order at 7:00 P.M. Others present: Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee, Clerk Kim Banigan, Planning Consultant Mark Roffers, and others as listed on the sign-in sheet available in the Clerk's office.

III. Comments from the public:

- Debra Tomesh, 3990 Vilas Hope Road, spoke against the proposed neighborhood development area requested by Windsor Quarry, LLC across the road from her property. She said the road is not built to accommodate the additional traffic the development would add, and felt development there would be a departure from the policy of preserving green space and rural character. She questioned why this is being considered now and wondered if other landowners would be given the same consideration, leading to islands of development. She noted that Plan Commission minutes indicate Roffers felt there are more reasons not to approve this request than there are to approve it.
- JoAnne Winkler-Bley, 3772 Bohnsack Lane, questioned how the ideals strewn throughout the comprehensive plan of valuing the countryside are supported by allowing isolated developments, and referred to the piece designated for neighborhood development on Coffeytown Road as an example. She also felt there has not been enough discussion of the Planning Consultant's recommendation that there is already enough land designated for neighborhood development. She felt there is no rationale to depart from his recommendation, and suggested that the land requests be voted on separately tonight.
- Eric Northrup, 3776 Bohnsack Lane, also thought the professional advice of the Planning Consultant should be taken. He said scattered development requires additional expenditures of fuel for snow plowing, etc., and suggested a purchase of development program such as the Town of Dunn has could be a way to preserve the Town. He wondered how to go about holding a referendum to ask voters to pay more taxes to support such a program. Hampton advised that he could make a motion at an annual meeting, and if seconded and adopted, a referendum could be held the following November.
- Bill Paulson, representing Windsor Quarry, LLC, said his rural subdivisions in the Town of Bristol have been effective in preventing the City of Sun Prairie from eating up the Town of Bristol. They also add tax base that could allow for funding of other options. He provided a letter of support signed by Bill and Laura Weber at 3690 Vilas Hope Road.

IV. Comments from Board members:

- Anders noted that the changes seen to the green spaces over the years are not a result of Town actions but of Village and City development that the Town is powerless to stop.
- Fonger felt that Village and City Extraterritorial Jurisdiction (ETJ) would likely over-rule the Town's plan and prevent development of the areas in question anyway.

V. Comments from Planning Consultant Mark Roffers: In response to comments about ETJ, Roffers noted that the courts have chipped away at rights for cities and villages to say no to development over the past 15-20 years. They are prohibited from denying land divison based on a lack of

village/standard requirements, nor can they use their land division ordinance, plan or density standards as a basis for denial. Very few court cases have favored cities or villages when ETJ has been challenged. He felt the greater powers of cities and villages is their availability of sewer and water and the ability to annex, allowing developers the potential of greater profits through higher density and mixed use development. He also noted that the proposed amendment is a departure from past plans in the Vilas Hope corridor.

VI. **MOTION** by Williams/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:47 P.M.

SPECIAL TOWN BOARD MEETING

I. Determination that a quorum is present and that the meeting was properly posted: Notice of the meeting was posted at the Town Hall and on the Town's internet site. Attendees were the same as for the public hearing above.

II. Call to order: Hampton called the meeting to order at 7:47 P.M.

III. Discuss/Consider adoption of Ordinance 2017-02 Amending the Town of Cottage Grove Comprehensive Plan: **MOTION** by Williams/DuPlayee to divide the question of the three locations seeking future neighborhood development. Williams stated that she opposes sweeping action to change the comprehensive plan. **MOTIN CARRIED 5-0.**

MOTION by Williams/DuPlayee supporting the Hammond's request to re-designate 39.9 acres along the west side of Vilas Road as future neighborhood development. Williams asked for confirmation that the map changes reflect only the acreage requested by the Hammonds, not the additional area that the planning consultant had suggested. This was confirmed by Roffers. **MOTION CARRIED 5-0.**

MOTION by Williams/DuPlayee to support the original request by F.H. Witte and Sons to designate approximately 11 acres north of Wittewood Lane as future neighborhood development, but not to include the woods as added by the planner. Roffers responded that County Staff prefers that future land use designations follow parcel lines to allow for easier calculation of development rights. Alternately a legal description of the designated area must be created. He had also included the existing development of the 4 lots on the south side of Wittewood Lane in the neighborhood development area, which everyone agreed only made sense. Williams/DuPlayee **AMENDED THE MOTION** to include the existing development and the original 11 acres requested by F.H. Witte and Sons, but not the wooded slope, and require preparation of a legal description of the neighborhood development area. **MOTION CARRIED 5-0.**

MOTION by Anders/Williams to table the request by Windsor Quarry, LLC. Discussion indicated that Anders was looking for deeper discussion of the topic with Roffers. He questioned whether this location represents the best defensible place at this time. Hampton suggested that the discussion could take place now since Roffers is here. Anders withdrew his motion and asked Roffers whether this proposal conflicts with the Town's plan. Roffers said that aside from existing development on Gala Way and homes along Vilas Hope Road, there are no existing or planned subdivisions along Vilas Hope Road. In this sense it is a departure from the plan. It is also in conflict with the original vision of the Transfer of Development Rights program in that it would preserve adjacent land rather than land in another part of the Town. The proposed text amendments include an additional purpose of the TDR program that would support this as a way to "help ensure the long-term viability and land base of the Town". Roffers felt there should be a plan developed specifically for the Vilas Hope Road corridor to give more predictability to

residents, whether it is for development, preservation, or "anything to stop Madison". **MOTION** by DuPlayee/Hampton to support the request by Windsor Quarry, LLC to designate the 33.8 acres identified by legal description as future neighborhood development. **MOTION FAILED 2-3** (Fonger, Anders and Williams opposed.)

MOTION by Hampton/Williams to adopt Ordinance 2017-02 Amending the Town of Cottage Grove Comprehensive Plan, with the following changes to the attached Exhibits:

- Exhibit A, Map 1: Jurisdictional Boundaries: include recent Village of Cottage Grove Urban Service Area additions and the Shady Acres annexation.
- Exhibit B, Map 10: Future Land Use: remove the Windsor Quarry, LLC neighborhood development area on Vilas Hope Road, and adjust the future neighborhood development area on Wittewood Lane to reflect a legal description to be provided by F.H. Witte and Sons.
- Exhibit C: text amendments – no changes.

MOTION CARRIED 4-1 (DuPlayee opposed).

IV. Consider approval of permit to work in the right of way for Wisconsin Power & Light: **MOTION** by Anders/Williams to approve the permit for Wisconsin Power & Light to work in the right-of-way of Luds Lane, Coyt Drive, Vilas Hope Road and Gala Way for plastic gas main installation. **MOTION CARRIED 5-0.**

V. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:37 P.M.

Kim Banigan, Clerk

Approved 06-19-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JUNE 19, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan and Treasurer Debra Abel.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the public hearings and Town Board meeting held on June 5, 2017, with correction of one typo on page 5, and of the minutes from the public hearing and special Town Board meeting held on June 12, 2017 as printed. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31469 - 31491 from Monona State Bank. **MOTION CARRIED 5-0.**
2. The Treasurer asked that June per diem reports be turned in by June 30th.

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review May police activities: None of the deputies were in attendance. The monthly report showed 164 calls for service and 56 citations in May, 29 of which were for speeding.

B. Discuss/Consider an additional speed limit sign on Vilas Road south of US Hwy 12 & 18 (tabled from May 15, 2017 meeting): Emailed input from Deputy Grafton suggested signs in both directions in the middle portion of the stretch between Hwy 12 & 18 and the Town limits. **MOTION** by Anders/Fonger to add a 45 mph speed limit sign in each direction somewhere near Door Creek Orchard. **MOTION CARRIED 5-0.**

C. Discuss/Consider donating surplus furniture from the police station to the Dane County Sheriff's Office: **MOTION** by Hampton/DuPlayee to donate the list of surplus furniture listed in Lt. Tim Scheutz's email to the DCCO, to be used in the West precinct. **MOTION CARRIED 5-0.**

D. Capitol Area Regional Planning Commission presentation on A Greater Madison Vision: Steve Steinhoff, Deputy Director of the Capital Area Regional Planning Commission, presented a PowerPoint on the plan that is being developed for the Madison region. Historically the region has grown by 7,000 people each year, which translates to 80,000 people over the next 12 years. Estimates say this growth will require 36,000 new homes, 4 million feet of new office space to employ 48,000 new workers, and substantial new infrastructure. Regional planing is needed to encourage coordination and cooperation among the 60 units of government in Dane County who make decisions of how growth will take place. While CARPC has no regulatory authority, hopes are that the regional plan will be compelling enough of a vision that local communities will want to incorporate it into their comprehensive plan updates. A 37 member steering committee meets quarterly. Groundwork was laid in 2016. Options are being explored in 2017, including workshops and online public polling to create scenarios. A vision and plan will be finalized in 2018. Fonger felt that the success of the plan will depend on whether or not Madison follows it. Anders wondered why Madison is compared with West Coast communities when options are considered, and why not let the DOT figure out the transportation infrastructure. Hampton wondered what the effect of another 150,000 residents by 2050 would be on water and agriculture.

E. Discuss/Consider allowing the Survey of the Health of Wisconsin use the Town Hall on July 17-21 for participant appointments: **MOTION** by Williams/DuPlayee to approve the use of he Town Hall on July 17-21 and also on August 14-18 as per the emailed request. **MOTION CARRIED 5-0.**

F. Set date for first Town Board meeting in July: Consensus was to hold the meeting on the regularly scheduled date of Monday, July 3rd.

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Hampton reported that sealcoating projects are complete and paving is scheduled for the first week in August.

V. BOARD REPORTS AND COMMUNICATIONS: Nothing to report.

VI. COMMITTEE REPORTS:

A. Emergency Government Committee: Fonger is the new committee chair.

B. Deer-Grove EMS Commission: Both new ambulances are now in service. The 2013 Lifeline was sold to a service in Arlington, IA. The 2009 Horton has been rented to Oregon EMS for a week or two. The Chief provided unofficial notice that he will be leaving by the end of the year.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:15 P.M.

Kim Banigan, Clerk
Approved 07-03-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JULY 3, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel and Public Works Employee Dan Dresen.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the June 19, 2017 meeting as printed. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31492 - 31519 from Monona State Bank, and EFTs in the amount of $13,250.57. **MOTION CARRIED 5-0.**

2. **MOTION** by Anders/Fonger to approve June per diems as presented, and payment of $5,937.00 to Viken Inspection Agency, LLC for June building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve a permit for Alliant Energy/Intercon Construction to tunnel and plow across and parallel to the right-of-way at 2145 Uphoff Road for underground electric service to a new home. **MOTION CARRIED 5-0.**

II. BUSINESS:

A. Discuss/Consider approval of July 1, 2017 – June 30, 2018 Operator's License for Colleen White (tabled from June 5th meeting): **MOTION** by Williams/Anders to table until the alcohol related charge is adjudicated. **MOTION CARRIED 5-0.**

B. Plan Commission Recommendations: Tim Thorson, applicant, Ellery Jensen, landowner: parcel 0711-061-8500-9 at 2998 Gaston Road: request to rezone 5.51 acres from A-2 to A-2(4) to separate pre-1982 farm house and buildings from farm land: Ellery Jensen was present. **MOTION** by Fonger/Anders to accept the Plan Commission's recommendation to approve the rezone of 5.51 acres from A-2 to A-2(4) to separate the pre-1982 farm house and buildings from the farm. Road right of way to be dedicated to the Town. **MOTION CARRIED 5-0.** (Since application was made prior to the Town Board adopting the recent amendment to the Comprehensive Plan on June 12th, no RDU is required to separate the pre-1982 farm house.)

C. Discuss/Consider options for building inspector term beginning in January 1, 2018: The contract with Viken Inspection Agency, LLC expires at the end of 2017. Discussion was to put out an RFP for building inspection services to allow other options to be considered. The Clerk will prepare a draft RFP for the August 7th meeting.

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Dresen had taken photos showing the nearly completed intersection improvements at Nora/Uphoff and Ridge/W. Jargo Roads.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that:

1. Hydrite Chemical has applied for renewal of their air pollution control permit.
2. He attended the Village Plan Commission meeting regarding development of the property recently annexed by Shady Grove, LLC, and requested that a fence be installed between the development and the Salem Cemetery. Most of the attendees were neighboring Town residents concerned about water and through roads.
3. The 2016 State of the Lakes report is available in the Town Office.

VI. COMMITTEE REPORTS:

A. Ad Hoc Well Testing Committee: Last year's tests showed no problems, and there was minimal attendance at this year's meeting. No private wells will be sampled this year, and the committee will not meet next year unless specifically requested. Instead, Tom Miazga from Hydrite Chemical Co. will send a report for the Town to distribute to affected parties.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:31 P.M.

Kim Banigan, Clerk
Approved 08-07-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 7, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and Deputy Jennifer Grafton.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the July 3, 2017 meeting as printed. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31520 - 31585 from Monona State Bank. **MOTION CARRIED 5-0.**
2. **MOTION** by Anders/DuPlayee to approve July per diems as presented, and payment of $3,105.00 to Viken Inspection Agency, LLC for July building permits. **MOTION CARRIED 5-0.**
3. The Treasurer shared a thank you letter from Dane County Sheriff David Mahoney for the office equipment the Town donated for use in the West Precinct.

E. Public Concerns:

- Alecia Rauch, 4552 Vilas Road, expressed her concern over the ability of Town roads to accommodate the outpouring of traffic as a result of development in the Village, and wondered what the Town's long term plan is to address the traffic and protect the township, maybe along the lines of what Windsor recently did. She said she appreciates the efforts of the Dane County Sheriff's Deputies but she and her neighbors are thinking it may be time to move to escape the dangers of increased traffic on their road as well as numerous crashes at the intersection of Vilas and County BB. She asked about decreasing speed limits. Smith explained that the Town can only decrease speed limits below 45 mph when there are enough driveways in a span, which is not true for her stretch of Vilas Road. Deputy Grafton will find out how many crashes there have been at Vilas and BB for the past three years, and Hampton suggested the Town could ask the County to help improve that intersection. As for protecting the Town, Anders explained that the Town has no say in annexations, and the loss of tax revenue is counter productive to increasing road expenditures. Per State statute, the Town of Cottage Grove does not have enough equalized value to become a Village like Windsor was able to do to protect its border.
- Richard McCutchin, 4618 Sandpiper, is worried that speeding on Sandpiper is going to get someone killed, especially between the hours of 4:30 and 5:30 P.M. Deputy Grafton said she is on that street often during those hours and does not see the excessive speed that residents describe. She suggested that speed bumps, possibly temporary ones that could be removed in the winter, may be the only way to slow traffic down there. She also thought Damascus Trail would be another candidate for speed bumps.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review June Police Activities: There were 242 calls for service and 99 citations issued in June. 61 citations were for speeding. Deputy Grafton reported there have been a rash of

thefts from unlocked vehicles in the Town. The Clerk sent a bulk email and posted a warning on the web site to remind residents to lock their vehicles. Deputies Grafton and Biwer participated in the recent National Night Out held in Cottage Grove.

B. Discuss/Consider approval of Certified Survey Map and shared driveway agreement for 1939 Hubred Lane: The Clerk noted that while the rezone of this property included shifting the cul-de-sac with a road vacation and dedication, conversations between the Klawitters and Town and County staff had led to the idea that vacating the small sliver on the south side of the cul-de-sac is not necessary considering the red tape involved. Thus, the proposed CSM only includes the dedication of a sliver on the north side of the cul-de-sac. **MOTION** by Hampton/Anders to approve the CSM identified as Dwg. No. 4974-17 revised 08/02/17 as presented, noting that no road vacation is needed. **MOTION CARRIED 5-0. MOTION** by Fonger/DuPlayee to approve the Shared Access Easement Agreement and Utility Easement as presented. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval for second drive way for 4679 Brown Thrush Trail onto Gaston Road: Sara and Jeremy Doyle are requesting the second driveway to allow access for their RV to a detached garage. Smith said the minimum culvert size allowed is 20'. **MOTION** by Anders/DuPlayee to approve the request for a second driveway onto Gaston Road, with Smith to approve grading and culvert size. **MOTION CARRIED 5-0.**

D. Update from Chamber of Commerce on UW Extension Branding Initiative for the Cottage Grove Community: Paula Severson provided the questionnaire results in printed form. She noted that the top considerations for living here were amount of annual property tax, price of house or rent, and quality of local schools, which she said is a feather in the cap of local politicians and school board members. People generally see their neighbors as friendly and trustworthy. Nearly 90% of respondents reported voting in the last presidential election. Use of local sources for news and events was on the low side. Severson said the next step is for a focus group to formulate a community branding plan based on this data. She was looking for a Town Board member to serve on the focus group, which she said would meet four times in September, with a goal of having something to present in October. DuPlayee offered to serve. Severson also reported that the Market Days the Chamber has been holding in efforts to convince people to shop in Cottage Grove have been very well attended. The next one is August 16th.

E. Discuss/Consider renewal of lease with Dwight and Dale Huston for the police station at 2560 Nora Road for three years beginning January 1, 2018: **MOTION** by Williams/DuPlayee to approve the lease as presented. **MOTION CARRIED 5-0.**

F. Discuss/Consider renewal terms for lease to Dwight and Dale Huston for the former Town Garage at 4091 County Road N for three years beginning July 1, 2018: **MOTION** by Williams/DuPlayee to approve the lease as presented. **MOTION CARRIED 5-0.**

G. Discuss/Consider method for electronic reporting under 2015 ACT 211 of building permits for all new one- and two- family dwellings to the Wisconsin Department of Safety and Professional Services: The Clerk reported that there is no cost for the "premium" option 1, which requires building permit applicants to file permits online through the DSPS system, and said she thought that would be the way to go. **MOTION** by DuPlayee/Williams to selection Option 1, requiring applicants to apply for building permits for new one- and two- family

dwellings online using the DSPS system effective January 1, 2018. **MOTION CARRIED 5-0.**

H. Discuss/Consider approval of form and time line for Building Inspector RFP: Williams asked if the RFP should include a requirement to share how the respondent has handled a difficult experience. While there was general agreement that this can be very useful in evaluating candidates, it was thought it might be better used as an interview question. Williams also suggested adding the phrase "without penalty" to the sentence under qualifications regarding the Town's option to terminate the contact if not satisfied with a replacement individual. The requirement for the respondent to provide a proposed three-year contact was stricken, and a deadline of September 6th was set for responses to be submitted. **MOTION** by Hampton/Fonger to approve the RFP with changes as discussed, and have it published in the Wisconsin State Journal, posted on the Town's web site, and sent to known licensed building inspectors. **MOTION CARRIED 5-0.**

I. Discuss/Consider quotes for financing of 2017 Public Works projects: Two quotes were received:

	Interest Rate	Principal Amount	Principal + Interest
Monona State Bank	1.70%	$268,000.00	$270,434.03
Bank of Sun Prairie	2.05%	$267,500.00	$270,440.00

MOTION by DuPlayee/Williams to accept the quote from Monona State Bank. **MOTION CARRIED 5-0.**

J. Discuss and consider requesting that the Joint Fire Committee review the agreement for fire protection services. Hampton said the agreement is 20 years old and the committee would like an opportunity to update it. The question is also on the Village Board's agenda for tonight. **MOTION** by Williams/DuPlayee to allow the Jt. Fire Committee to look at updating the agreement. **MOTION CARRIED 5-0.**

K. Discuss/Consider attendees for the Dane County Towns Association meeting Aug. 16, 2017: DuPlayee and Hampton would like to attend. **MOTION** by Hampton/DuPlayee to approve two attendees. **MOTION CARRIED 5-0.**

L. Discuss/Consider attendees for the Wisconsin Towns Association Convention Oct. 8-10, 2017: DuPlayee would like to attend on October 9th, and Williams may want to as well. **MOTION** by Anders/Fonger to allow up to two attendees. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: The topic of whether to participate in the State health insurance plan will need to be postponed as one employee is not eligible due to waiving WRS. She will provide information once 2018 rates are available so the board can decide whether to budget for a partial year of it in 2018.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Milling of driveways was in progress today in preparation for blacktopping later this week. The new portion of Bass Road in the Viney plat was test rolled today. Culverts on Nora have been replaced, the one on Vilas will be postponed until next year due to water on both sides. The funds allocated for the Vilas culvert will be used to blacktop a longer stretch of Nora. The seal coated roads have all had center striping applied, but sweeping is still waiting on the contractor's schedule.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Anders provided an update on DaneCom: Only 4 municipalities are not paying their share. On July 19th a storm took out power to five towers, but they were all back up on generators within 2-3 minutes. Two were on emergency power for 3 days without any complications. The project is now in maintenance mode under General Communications, Harris is out of the picture. Currently costs are distributed by equalized value but some smaller municipalities are pushing for a per radio charge instead.

B. Williams plans to attend the On The Farm Twilight meeting in Waukesha.

C. Hampton plans to attend the Village's public hearing regarding the Shady Acres plat on August 9th.

VI. COMMITTEE REPORTS:

A. Emergency Government Committee: Fonger reported that the pre-exercise session at the July meeting went well. There is some equipment that needs updating. Members will need WebEOC training. There was brief discussion about what plans the committee has to notify the public about the September 16th exercise.

B. Joint Town/Village Landfill Monitoring Committee: There was a slight methane detect in a probe in the right-of-way on the house side of Natvig Road. Retests were zero last Monday, but there was another smaller slight detect on Friday. It will be checked again in 2 weeks, if it stays low, monthly monitoring will be performed. MW3 has not been able to be sampled due to age and sand. An application to relocate has been submitted to the DNR.

C. Joint Town/Village Fire Department Committee: Committee would like to update the joint agreement for the fire district. Ladder One brakes are cracked. Proposals for station remodeling to provide more locked areas for department use were discussed.

VII. Adjournment: **MOTION** by Anders/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:59 P.M.

Kim Banigan, Clerk
Approved 08-21-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 21, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Treasurer Debra Abel, Highway Superintendent Jeff Smith, and Deputy Brian Biwer.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting: **MOTION** by Williams/DuPlayee to approve the minutes of the August 7, 2017 meeting with the correction to typo on page 2. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31586-31610 from Monona State Bank. **MOTION CARRIED 5-0**.

2. Treasurer requested August per diem reports by September 1st.

E. Public Concerns:

Kevin Bronkhorst, 1858 Meadow View Lane, mentioned the odor coming from the landfill has been very strong over the last couple of months. He noticed the smell after the gas lines were fixed on Vilas Road. Hampton mentioned that it has not been confirmed that the smell is coming from the landfill.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review July Police Activities: There were 210 calls for service and 133 citations issued in July. 80 of the citations issued were for speeding. Deputy Biwer reported theft in unlocked vehicles between the hours of 1:00 – 3:00 a.m. in three neighborhoods in the Town. A truck was stolen but may not be related to vehicle break-ins. The deputies have been unsuccessful at finding the person of interest.

B. Discuss/Consider placing temporary stop sign at the intersection of Crestview Drive and Bass Lane: Jim Weber, 3716 Crestview Drive, is concerned of possible traffic accidents at the intersection and reported that there have been a lot of "close calls". With the new development there will be an increase in construction vehicles and traffic from new residents. Weber suggested placing stop signs on Crestview Drive. DuPlayee felt stop signs should go on roads with less traffic and suggest placing on Bass Lane. **MOTION** by DuPlayee/Williams to install permanent stop signs on each side of Bass Lane. **MOTION CARRIED 5-0**.

C. Plan Commission Recommendations: Kevin Bronkhorst, 1858 Meadow View Lane, seeking to combine and rezone parcel #0711-024-8381-9 (.64 acres zoned R-1) and parcel #0711-024-8385-0 (.08 acres zoned A1-EX) to create a single parcel zoned R-3 for setback compliance to allow outbuilding to be raised and attached to house. **MOTION** by Williams/DuPlayee to accept Plan Commission's recommendations to combine and rezone parcels to create a single parcel zoned R-3. **MOTION CARRIED 5-0**.

D. Discuss/Consider approval of a Certified Survey Map for 1834 Schadel Road. **MOTION** by DuPlayee/Anders to approve the CSM identified as Dwg. No. 4956-16 dated 08/07/2017 as presented. **MOTION CARRIED 5-0**.

E. Discuss/Consider approval for a Parade, Procession or Race permit for Ryan Griessmeyer, Race Day Events, LLC to hold a bike ride for charity (UW department of Oncology) to include portions of Schadel, Nora , Deerfield, S. Jargo, Coffeytown, Vilas and Gaston Roads on September 17, 2017: A representative from Race Day Events mentioned there will be approximately 1000 riders. They will be placing caution signs near busy intersections and will have volunteers warning cyclists of traffic. They have contacted the Deer-Grove EMS and have coverage planned for day of race. Deputy Biwer said last year the race did not cause any major slowdowns on the roads he patrolled. Romayn Rote, 2964 Gaston Road, objects to the town roads being used because they do not have bike lanes. **MOTION** by DuPlayee/Williams to approve Parade, Procession or Race permit. **MOTION CARRIED 5-0**.

F. Discuss/Consider approval of the use of Cedar Knolls Park for pee-wee football practice during September and October of 2017, and waiving of the park reservation fee: **MOTION** by DuPlayee/Williams to approve the use of Cedar Knolls Park and waiving the park reservation fee. **MOTION CARRIED 5-0**.

G. Discuss/Consider adoption of a Resolution for Borrowing to fund 2017 road construction and maintenance projects: **MOTION** by Anders/Williams to approve Resolution 2017-03 authorizing borrowing in the amount of $268,000 with the correction to the amount in section 6. **MOTION CARRIED 5-0**.

H. Set date for first meeting in September: **MOTION** by DuPlayee/Williams to cancel first meeting in September. **MOTION CARRIED 5-0**.

III. CLERK'S OFFICE UPDATE: Clerk on vacation. Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

a. Update on Femrite Drive Bridge: Dane County is requiring bridge be checked for scouring after heavy rain falls. Will review correspondence from County.

Due to rain the department has been busy mowing. Road projects are done except for center striping on Nora Road. Judy Phillips commented that she likes the new Nora Road intersection. While working on culvert replacement on Nora Road two cars drove through partially marked construction causing damage to their vehicles. Claims have been made to the Towns insurance company.

V. BOARD REPORTS AND COMMUINICATIONS:

Hampton reported:

a. The draft 2018-2022 Transportation Improvement Program (TIP) for the Madison Metropolitan Area & Dane County is now available for review.

b. Dane County Zoning & Land Regulation will have a meeting August 28 at 6:30 at Lussier Heritage Center to present a summary of new zoning ordinance.

c. Hampton attended the Towns Association meeting August 16th. Dues will be the same as last year.

VI. COMMITTEE REPORTS:

A. Emergency Government Committee: Fonger reported that the September 16th exercise will not be as big as originally planed. Will be similar to the pre-exercise.

B. Jt. Town/Village Fire Department Committee: DuPlayee reported that they received suggestions from the boards on updating the joint agreement for the fire district.

C. Deer-Grove EMS Commission: Williams reported that so far there are five applicants for the Chief position. They have started working on the budget but anticipate challenges because there will be a significant increase in the new Chiefs wages.

D. Landfill: Anders reported that the request for well replacement was sent to the DNR.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:06 p.m.

Debra Abel, Treasurer
Approved 09-18-2017

RESOLUTION

RESOLUTION NO. 2017-03

RESOLUTION AUTHORIZING THE BORROWING OF $268,000.00; PROVIDING FOR THE ISSUANCE AND SALE OF A GENERAL OBLIGATION PROMISSORY NOTE THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, the Town Board (the "Governing Body") hereby finds and determines that it is necessary, desirable and in the best interest of the Town of Cottage Grove, Dane County, Wisconsin (the "Issuer") to raise funds for the purpose of:

Public works road maintenance projects

(the "Borrowing Purpose"); and

WHEREAS, the Governing Body hereby finds and determines that the Borrowing Purpose is within the Issuer's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b)of the Wisconsin Statutes; and

WHEREAS, the Issuer is authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and issue general obligation promissory notes for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

Section 1. Authorization of the Note. For the purpose of paying the cost of the Borrowing Purpose, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of $268,000.00 from Monona Bank (the "Lender") in accordance with the terms set forth herein.

Section 2. Issuance of the Note. To evidence such indebtedness, the Chairperson and the Clerk are hereby authorized, empowered and directed to make, execute, issue and deliver to the Lender for, on behalf of and in the name of the Issuer, a general obligation promissory note aggregating the principal amount of $268,000.00 (the "Note").

Section 3. Terms of the Note. The Note shall be designated "General Obligation Promissory Note"; shall be dated the date of its issuance; shall bear interest at the rate of 1.700% per annum; and shall be payable as follows:

Borrower will pay this loan in one principal payment of $268,000.00 plus interest on March 15, 2018. This payment due on March 15, 2018, will be for all principal and all accrued interest not yet paid.

Interest on this Note is computed on a 365/365 simple interest basis; that is, by applying the ratio of the interest rate over the number of days in a year, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. All interest payable under this Note is computed using this method.

Section 4. Prepayment Provisions. The Note shall have prepayment privileges.

Section 5. Form of the Note. The Note shall be issued in registered form and shall be attached hereto and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Note as the same becomes due, the full faith, credit and resources of the Issuer are hereby irrevocably pledged, and a direct annual irrepealable tax is hereby levied upon all taxable property of the Issuer. Said direct annual irrepealable tax shall be levied in the years and amounts as follows:

Levy Year	Amount
2017	$270,434.03

The aforesaid direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the Issuer levied in said years are collected. So long as any part of the principal of or interest on the Note remains unpaid, the tax herein above levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created herein. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on the Note when due, the requisite amount shall be paid from other funds of the Issuer then available, which sums shall be replaced upon the collection of the taxes herein levied. In the event the Issuer exercises its prepayment privilege, if any, then no such direct annual tax shall be included on the tax rolls for the prepayments made and the amount of direct annual tax hereinabove levied shall be reduced accordingly for the year or years with respect to which said note was prepaid.

Section 7. Debt Service Fund Account. There is hereby established in the Issuer's treasury a fund account separate and distinct from every other Issuer fund or account designated "Debt Service Fund Account for $268,000.00 General Obligation Promissory Note." Such fund shall be maintained in accordance with generally accepted accounting practices. There shall be deposited in said fund account any premium plus accrued interest paid on the Note at the time of delivery to the Lender, all money or funds raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay interest on the Note when the same shall become due and to retire the principal installments on the Note. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Note and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished. Sinking funds established for obligations previously issued by the Issuer may be considered as separate and distinct accounts within the Debt Service Fund Account.

Section 8. Segregated Borrowed Money Fund. The proceeds of the Note (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Note into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and be disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Note.

Section 9. Arbitrage Covenant. The Issuer shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Note (the "Closing"), would cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the Issuer hereby covenants and agrees that

so long as the Note remains outstanding, moneys on deposit in any fund or account created or maintained in connection with the Note, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Note to be an "arbitrage bond" within the meaning of the Code or Regulations.

The Clerk, or other officer of the Issuer charged with responsibility for issuing the Note, shall provide appropriate certifications of the Issuer, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the Issuer regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Exemption from Rebate; Qualified Tax-Exempt Obligation Status. The Issuer hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Note) to assure that the Note is an obligation described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout its term. The Clerk or other officer of the Issuer charged with the responsibility of issuing the Note, shall provide appropriate certifications of the Issuer as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the Issuer to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Note will continue to be an obligation described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

For Note Proceeds allocable to a Borrowing Purpose for new projects or acquisitions, the Issuer reasonably expects to:

qualify for the small issuer rebate exception because it (including any entities subordinate to the Issuer) will issue no more than $5,000,000 of tax-exempt obligations (including the Note(s)) during the current calendar year.

qualify for the eighteen month rebate exception under Section 1.148-7(d) of the Regulations.

qualify for the two-year rebate exception under Section 148(f)(4) of the Code.

X not qualify for an exception to rebate.

The Issuer hereby designates the Note to be a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the Clerk or other officer of the Issuer charged with the responsibility for issuing the Note, shall provide appropriate certifications of the Issuer, all as of the Closing.

Section 11. Execution of the Note. The Note shall be prepared in typewritten form, executed on behalf of the Issuer by the manual or facsimile signatures of the Chairperson and Clerk, sealed with its official or corporate seal thereof, if any, and delivered to the Lender upon payment to the Issuer of the purchase price thereof, plus accrued interest to the date of delivery; provided that, if this is a refinancing, the refunding Note shall be immediately exchanged for the note being refinanced. In the event that either of the officers whose signatures appear on the Note shall cease to be such officers before the delivery of the Note, such signatures shall nevertheless be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 12. Payment of the Note. The principal of and interest on the Note shall be paid by the Town of Cottage Grove in lawful money of the United States.

Section 13. Registration and Transfer of Note. The Clerk shall keep records for the registration and for the transfer of the Note. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of either principal or interest on the Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid. The Note may be transferred by the registered owner thereof by presentation of the Note at the office of the Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his legal representative duly authorized in writing. Upon such presentation, the Note shall be transferred by appropriate entry in the registration records and a similar notation, including date of registration, name of new registered owner and signature of the Clerk, shall be made on such Note.

Section 14. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Issuer or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Section 15. Financial Reports. Officials of the Issuer are hereby authorized and directed, so long as the Note is outstanding, to deliver to Lender any audit statement or other financial information Lender may reasonably request and to discuss its affairs and finances with Lender.

Adopted and recorded this 21st day of August, 2017.

By: _____
Kris Hampton, Chairperson

(Seal)

ATTEST:
By: _____
Kim M. Banigan, Clerk

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TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
SEPTEMBER 18, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and Deputy Brian Biwer.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the August 21, 2017 meeting as printed. **MOTION CARRIED 4-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31611-316655 from Monona State Bank. **MOTION CARRIED 4-0.**
2. MOTION by Anders/Fonger to approve August per diems as presented, and payment of $4,210.00 to Viken Inspection Agency, LLC for August building permits. **MOTION CARRIED 4-0.**
3. The Treasurer asked that September per diem reports be submitted by September 29th.

E. Public Concerns:

- Romayn Rote, 2964 Gaston Road, brought up 2 concerns: 1) He suggested the Town Board should consider an earlier start time for the contracted Town deputies to catch speeding activity in the mornings. 2) He reported that the charity bicycle ride on September 17th did not have traffic control at the intersection of County BB and Vilas Road, causing delays for motorists, and that riders were 4 abreast on Vilas Road. When his wife told them they should be single file, a rider spouted an obscenity and hit the back of their car.
- Jeff and Sue Trentadue, 2850 Alydar Way, and Joseph Byrne, 2835 Riva Ridge Circle had concerns about the recent annexation of property by Shady Grove, LLC. Jeff Trentadue asked how he can help the Town Board stop land from being annexed into the Village. He said his major objection is to the multi-family development being proposed. Hampton said he should work toward changing annexation laws at the State level as they currently do not give the Town any say, but also noted that while some may not like multi-family development, it does concentrate development to reduce the need for more annexations. Byrne asked if the Town ever approaches potential developers to let them know the Town is open to development. Hampton said he met with the Widens, who have recently submitted the annexation petition to be discussed later tonight, over a year ago, and the Town's comprehensive plan was changed to allow them to develop their property, but they are still petitioning to annex. Sue Trentadue asked about notice to town residents. The Clerk said that Shady Grove, LLC did publish a notice of plans to circulate a petition. There is no requirement for neighboring property owners to be notified.

F. Road Right of Way Permits:

- **MOTION** by Anders/DuPlayee to permit Wisconsin Power & Light Co. to plow and drill parallel to the right-of-way for underground electric installation on Meadowview Lane. **MOTION CARRIED 4-0.**
- **MOTION** by Anders/DuPlayee to permit Intercon Construction to drill across the right-of-way to install new electric service at 3500 Vilas Road. **MOTION CARRIED 4-0.**

II. BUSINESS:

A. Review August Police Activities: There were 388 calls for service and 264 citations issued in August. Deputy Biwer reported that the high number of speeding citations in August (158) was in part due to a speed grant that included the Town. He addressed an earlier concern about the recent charity bike ride, noting that group did hire a deputy to be at County BN and Nora Road and suggested the Town may want to stipulate they hire one for County BB and Vilas Road if they repeat the ride next year. He offered to ask Crime Analyst Michael Walnoha, who prepares our monthly report, to add the hours of coverage. Vehicle thefts have gone quiet. The station roof is coming along well. Anders reported that cars were parked three deep on Vilas Road at a recent rugby event. Deputy Biwer said a SAM1 deputy talked to people but did not issue any citations.

B. Discuss/Consider proposals for Building Inspection services: General Engineering Company was the only firm to submit a response to the RFP, although Viken Inspection Agency, LLC did submit a letter of interest. **MOTION** by Fonger/Anders to give General Engineering Company and Viken Inspection Agency, LLC each a half hour to present and answer questions beginning at 6:00 P.M. on October 2nd. This would also give Viken Inspection Agency, LLC another chance to provide the information in the RFP. **MOTION CARRIED 4-0.** A building contractor was present and indicated concern over being able to get ahold of a non-local building inspector. Anders suggested that he spread the word in the contractor community that they should be in attendance on October 2nd.

C. Discuss/Consider response to DOA Annexation Questionnaire for Widen Trust Annexation: The Clerk had completed the factual portions of the questionnaire and drawn up a map and language to describe concerns of the uneven municipal borders that would be created by the annexation. The Board suggested adding language to note that development of the territory proposed for annexation may be limited by steep slopes to the west and low wetlands to the east. **MOTION** by Hampton/Anders to approve the response to the DOA Annexation Questionnaire for Widen Trust Annexation including the two points added tonight. **MOTION CARRIED 4-0.**

D. Discuss/Consider appointment to replace Benjamin Morrow on the Plan Commission: Hampton reported that Benjamin Morrow has submitted his resignation from the Plan Commission, and Jerry Meylor is interested in replacing him. The Clerk said she felt there needs to be more effort put into training new Plan Commission members, and suggested two webinars available through the Town's membership of the Urban Towns Committee of the Wisconsin Towns Association, one on ethics and one one the role of the plan commission. She also suggested that the Town purchase copies of the Plan Commission Handbook put out by the UW Stevens Point Center for Land Use Education for all Plan Commission members. It is available in pdf form, bound copies are $15.00 each. **MOTION** by DuPlayee/Fonger to approve Jerry Meylor to replace Benjamin Morrow on the Plan Commission, and to require him to watch the webinars on ethics and the role of the plan commission. The Clerk should print him a copy of the Plan Commission Handbook. **MOTION CARRIED 4-0.**

E. Discuss/Consider 2017-2018 gypsy moth suppression cost-share program: **MOTION** by Fonger/DuPlayee to not participate in the program. **MOTION CARRIED 4-0.**

F. Set dates for 2018 budget workshops: Workshop dates were set for October 24 and 26, beginning at 6:30 P.M. both nights.

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Road maintenance projects are complete for the year. Trees were taken down in El Margo Park.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton attended the recent Yahara WINS meeting, and plans to attend the next one on October 17th. Sediment has been removed from Dorn Creek, and 11 acres are being seeded by Yahara pride.

B. The WDOT will hold open house meetings on the I-39/90 and County N interchange at the Stoughton Public Library on October 11th and 12th.

C. Hampton attended a Glacial Drumlin Trail meeting in August.

D. The County sent a draft map showing proposed new zoning districts in the Town as a result of the proposed revisions to the County zoning ordinance. It was suggested the map should be laminated and posted at the Town Hall.

VI. COMMITTEE REPORTS:

A. Town Parks Committee: The committee made recommendations for the 2018 budget, including new equipment at El Margo park. Hampton delivered a park equipment catalog to Christopher Rindy, who has expressed interest in updating the equipment at El Margo park. He was instructed to submit a request for the specific equipment desired, along with a petition signed by residents willing to perform the installation.

B. Joint Town/Village Fire Department Committee: The committee drafted language to amend the inter-municipal agreement and forwarded it to the attorneys for review.

C. Emergency Government Committee: The Hydrite exercise on September 16th went well, evaluations were favorable.

VII. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:30 P.M.

Kim Banigan, Clerk
Approved 10-02-2017

TOWN OF COTTAGE GROVE
GENERAL ENGINEERING COMPANY PRESENTATION AND TOWN BOARD MEETING
OCTOBER 2, 2017

GENERAL ENGINEERING COMPANY PRESENTATION

I. Notice of the presentation was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were in attendance, as well as Clerk Kim Banigan and Treasurer Debra Abel.

II. Mark Jankowski, Director of Inspection Services with General Engineering Company (GEC), said his company can meet the inspection needs of the Town and could begin December 15, 2017 if needed. GEC employs a large staff and currently provides inspection services to around 200 communities. The inspector would work out of the Town Hall as needed to issue permits, and be available by cell phone and email. All files would be kept here, along with a log book to show status of permits. GEC is also developing a customer portal to allow customers to access permit information on GEC servers. One inspector would be assigned to the Town, with others available as backup for vacations, etc. or for commercial projects. Fonger questioned whether there is potential for conflicting opinions if different inspectors are involved in the same project. Jankowski said they have a pretty good track record for consistency. Inspectors are accustomed to working with the County to ensure zoning permits are in place before issuing local permits. GEC will submit the permit applications to the State for Act 211 Compliance, which Jankowski said works better with their system than having applicants submit them online themselves. Questions for the board were whether the current inspector would be finishing up any open permits at the time of the changeover to GEC, and what percentage the Town would want to add to GEC's fees to cover the Town's administrative costs. He said these typically run 15-20%. Jankowski will provide a check-off sheet to the Clerk so the Board can decide what improvements permits to require permits for, noting that typically Towns want permits for things like roofs, furnaces, etc. in order to provide notice of improvements to the assessor, even though these smaller things are typically not inspected.

TOWN BOARD MEETING

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Jeff Smith. Supervisor Steve Anders arrived at 7:00 P.M.

B. Hampton called the meeting to order at 6:55 P.M.

C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the September 18, 2017 meeting as printed. **MOTION CARRIED 3-0-1** (Williams abstained).

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31666-31695 from Monona State Bank. **MOTION CARRIED 4-0.**

(Anders arrived)

2. **MOTION** by Fonger/DuPlayee to approve September per diems as presented, and payment of $2,301.00 to Viken Inspection Agency, LLC for September building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: Joseph Byrne, 2835 Riva Ridge Circle had two comments:

- He saw that the Department of Administration ruled the Widen Trust Annexation to be "in the public interest", and noted that he had spoken with someone there and learned that this term is statutory and based on a very limited review. He is concerned that development of

the Widen property would put traffic pressure on Damascus as a route between Vilas Road and Cottage Grove Road, and thought development should wait until a better traffic pattern is established, possibly by extending Buss Road to reach Vilas Road. He urged Town Board members to express their own concerns about the potential annexation to Village Board members.

- He is still working with a group of citizens on issues with the Shady Grove development in the Village, and feels there is a good chance of preventing approval of the final plat and zoning. He suggested it would be helpful for Town Board members to call Village Board members to express any concerns they may have about the development. He said the Village Board is ignoring their comprehensive plan by allowing Buss Road to come to a dead end in the new subdivision. Fonger suggested the Town and Village Boards should resume their tradition of joint meetings.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Discuss/Consider proposals for Building Inspection services: **MOTION** by Fonger/DuPlayee to accept the proposal from General Engineering Company to provide building inspection services to the Town at a date to be determined, but no later than December 21, 2017. The Town will add 15% to GEC's fees, and send a letter to Viken Inspection Agency, LLC stating that they are to finish out any permits open at the time of the changeover. **MOTION CARRIED 5-0.**

B. Plan Commission Recommendations:

1. Badger Surveying, Applicant, Joshua & Lindy Agate and Ronald Foreyt, landowners: 3010 Hope Road, parcels 0711-194-9270-6, 0711-194-9000-2 and 0711-193-9690-9. Agates are looking to combine their .49 acres of LC-1 and 1.46 acres of R-1A with 2.80 acres of A-1EX to be purchased from Foreyt to create one A-2(4) lot: Mr. Agate was present. Hampton noted that the Plan Commission had a lengthy discussion before reaching the conclusion that A-2(4) is the appropriate zoning for the new parcel. The Clerk said she had run it by Dane County Zoning Administrator Roger Lane, who said he did not expect the County to have any problems with it. **MOTION** by DuPlayee/Fonger to accept the Plan Commission's recommendation to rezone .49 acres of LC-1, 1.46 acres of R-1A and 2.80 acres of A-1EX to A-2(4), resulting in 4.59 acres after road right-of-way is dedicated to the Town. No additional residential development or utility services will be allowed on the new parcel. Since 2.8 acres will continue to be farmed, A-2 zoning will be more consistent with the planned use and the Ag Preservation area than the RH-2 zoning requested. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of using proceeds of the fire protection contract with the Town of Pleasant Springs to fund replacement of self-contained breathing apparatus and equipment: It was noted that a grant written for the air packs was unsuccessful, and the equipment expires early in 2018. The agreement for the use of Town of Pleasant Springs funds only requires approval of the Joint Fire Department Committee, but due to the large amount ($204,554.00), Hampton thought the Board should give their approval as well. **MOTION** by Hampton/Williams to approve using proceeds of the fire protection contract with the Town of Pleasant Springs to fund replacement of self-contained breathing apparatus and equipment. **MOTION CARRIED 5-0.**

D. Discuss and Consider approval of Agreement with Strand Associates for 2018 Services for the Natvig Road Landfill: Hampton said the only changes from the 2017 contract were updating the year and removing language and charges related to replacement of monitoring well 3, which was done in 2017. The Joint Landfill Committee has approved the agreement. **MOTION** by Williams/Anders to approve the Agreement with Strand Associates for 2018 Services for the Natvig Road Landfill. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of quotes for 2018 HVAC services: Two quotes were received for Fall 2017 and Spring 2018 HVAC services to the six buildings, plus installation of a new A/C system in the Town Garage: High Tech Heating & A/C, Inc: $5,351.20 and Accurate Heating: $5,836.35. **MOTION** by Anders/Fonger to accept the quote from High Tech Heating & A/C, Inc. **MOTION CARRIED 5-0.**

F. Consider approval of attendees for the DCTA membership meeting on October 18th, and the Joint DCTA/League of Municipalities meeting on October 30th: **MOTION** by Hampton/Anders to allow five attendees to each meeting. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: As reported earlier, the Department of Administration ruled that the Widen Trust annexation is in the public interest. Town Engineer Thomas TeBeest sent his final walk-through comments for Viney's addition to Sky High, including a list of items that need to be addressed before he will recommend that the Town accept the development.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Kyle Klawitter contacted Smith ready to construct the cul-de-dac on Hubred Lane. Smith wondered if the Town Board wants to ask them to hold off on paving until next year so the Town can consider paving the rest of the road to tie in with it. Consensus was to have them pave it this year as planned.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS:

A. Flynn Hall Committee: The committee recommended keeping the 2018 budget the same as 2017.

B. Deer-Grove EMS Commission: Williams reported that the Chief Hiring Committee interviewed 11 candidates over the course of 2 nights, and has narrowed the pool down to three. The next steps will be discussed at the October meeting of the full commission. Hampton reported that the commission approved the 2018 budget.

C. Joint Town/Village Fire Department Committee: The committee had an in depth discussion about the budget and air packs. The CGFD budget for 2018 will be up about 2.7% from 2017.

D. Joint Town/Village Landfill Committee: It appears 2017 expenses will fall within the budgeted amount. The new monitoring well is in place, and the budget for 2018 was approved.

VII. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:40 P.M.

Kim Banigan, Clerk
Approved 10-16-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 16, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Public Works employees Daniel Dresen and Andrew Perry, and Deputy Brian Biwer.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the October 2, 2017 meeting as presented. **MOTION CARRIED 5-0**.

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31696-31725 from Monona State Bank. **MOTION CARRIED 5-0.**
2. The Treasurer asked that October per diem reports be submitted by November 3rd.

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review September Police Activities: There were 166 calls for service and 118 citations issued in September. Deputy Biwer noted that the deputies have been flexing schedules to provide coverage during morning commute hours, and have received several reports of failure to yield to school buses from Nelson Bus Service. Roof replacement for the police station went well, and two exterior doors will be replaced soon. Capt. Tetzlaff is now on duty as Capt. Teuscher's successor.

B. Discuss/Consider request from Dane County Law Enforcement training center to use/take two banks of lockers in the storage room at the PD to use at the range: **MOTION** by Anders/DuPlayee to allow the Dane County Sheriff's Office to take possession of the lockers for use at the range. **MOTION CARRIED 5-0.**

C. Discuss/Consider requirements for building permits: Mark Jankowski and James Trebian from General Engineering Company were in attendance and discussed the various permits that could be required. **MOTION** by DuPlayee/Williams to approve the permit requirements as discussed. **MOTION CARRIED 5-0.**

D. Discuss/Consider approval of using funds designated for future park equipment to purchase park equipment for El Margo park: A group of Town residents had submitted a request for playground equipment along with a list of names of those willing to install it. DuPlayee said he would also be willing to help. There was discussion about use of El Margo Park by Village residents if the Helgeland property recently annexed into the Village is developed. Smith suggested working with the Village to create a larger, joint park. **MOTION** by Williams/DuPlayee to approve spending $16,752.00 of funds designated for park equipment to purchase a play structure, Little Digger, and two Rock 'n Rides for El Margo Park, to be installed in the Spring of 2018. **MOTION CARRIED 5-0.**

E. Discuss/Consider request from the Wisconsin Center for the Blind/VI to use the Town Hall, including Wi-Fi, for a clinic on Friday, January 12, 2018 (setup the night before): **MOTION** by Williams/DuPlayee to approve the use of the Town Hall, including Wi-Fi, at no charge, with encouragement to the Herald Independent to publicize the Town's support of this organization. **MOTION CARRIED 5-0.**

F. Discuss/Consider enforcement of TCG Ord. Section TCG Ord. Section 11.09(6) for unfinished construction at 1737 S. Jargo Road: Multiple preliminary notices have been provided to the property owner over the past year and a half, but no progress has been observed to complete the construction. **MOTION** by Fonger/DuPlayee to send a letter to the property owner stating that the Town Board has taken action to begin ordinance enforcement, and the Building Inspector will be in touch to arrange an inspection time. **MOTION CARRIED 5-0.**

G. Discuss/Consider Employee Health Insurance options for 2018: The Clerk had provided information about how to become a participating employer under the Wisconsin Public Employers' Group Health Insurance Program, along with 2018 premiums for the various plans available. Underwriting and enrollment of new groups takes up to 120 days, and new enrollments are allowed at the start of each calendar quarter. The final decision to enroll is not made until underwriting is complete. **MOTION** by Hampton/Williams to select Program Option 02 and authorize spending $250.00 for underwriting. **MOTION CARRIED 5-0.**

H. Discuss/Consider approval of the Town's annex to the Dane County Hazard Mitigation Plan: Hampton noted that the Emergency Government Committee has reviewed the Town's Annex. **MOTION** by Hampton/Williams to approve the Town's annex to the Dane County Hazard Mitigation Plan as presented. **MOTION CARRIED 5-0.**

I. Complete Insurance renewal questionnaire: The board reviewed the questionnaire and there was consensus to submit it as discussed.

J. Discuss/consider agenda topics for a joint meeting with the Village of Cottage Grove Board of Trustees: Topics mentioned included annexations, Village maintenance of roads annexed from the Town, policing, and possible cooperation on a joint park extension to El Margo Park in conjunction with development of the Helgeland lands recently annexed. Hampton will pursue a joint meeting date.

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Smith submitted a letter stating he will retire on June 8, 2018, which will be his 45th anniversary with the Town. The crew has been mowing ditches, and will get the snow plows out soon.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that the 2018 MPO Unified Planning Work Program has been received, and wondered if the Town should provide snacks for the DCTA meeting to be held here on October 18th. DuPlayee will coordinate cheese and crackers and bottled water for 30 to come from Piggly Wiggly.

B. DuPlayee updated the board on his experience at the recent WTA Annual Convention. He attended a zoning law update, a session on surveying and CSMs, and a recycling seminar. He said there is a need for education on physical aspects of road maintenance. The Urban Towns Committee is looking to change their name to the Town Advocacy Council.

VI. COMMITTEE REPORTS:

A. Emergency Government Committee: Noting to report.

VII. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:30 P.M.

Kim Banigan, Clerk
Approved 11-06-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 6, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan and Treasurer Debra Abel.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s):

1. **MOTION** by Williams/DuPlayee to approve the minutes of the October 16, 2017 meeting as presented. **MOTION CARRIED 4-0.**
2. **MOTION** by Williams/Anders to approve the minutes of the October 24, 2017 Special meeting and Budget Workshop as printed. **MOTION CARRIED 4-0**.
3. **MOTION** by DuPlayee/Williams to approve the closed session minutes from October 24, 2017, and to make them an open record. **MOTION CARRIED 3-0-1** (Anders abstained).

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31726-31761 from Monona State Bank. **MOTION CARRIED 4-0.**
2. **MOTION** by Anders/DuPlayee to approve October per diem payments as presented, and payment of $2,677.00 to Viken Inspection Agency, LLC for October building permits. **MOTION CARRIED 4-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to permit Wisconsin Power & Light Co to trench and tunnel across the right of way of Gladeview Road to install new underground electric along the back lot lines of Sky High Road. **MOTION CARRIED 4-0.**

II. BUSINESS:

A. Discuss Consider approval of Certified Survey Maps for previously approved rezones:

1. Viney Acres, LLC and Daniel Viney, 1994 US Highway 12 & 18, creation of 2.4 acre residential lot (zoned A-2): Communication from the WDOT requested an access restriction be depicted on the CSM. **MOTION** by DuPlayee/Williams to approve the CSM identified as Office Map No. 170417-CSM dated 10-23-2017, with the addition of the access restriction requested by the WDOT. **MOTION CARRIED 4-0.**
2. Kevin Bronkhorst, 1858 Meadow View Lane, combine two parcels to eliminate non-conforming zoning (zoned R-3): **MOTION** by DuPlayee/Williams to approve the CSM identified as office Map No. 16387 dated 8-16-2017. **MOTION CARRIED 4-0.**
3. Joshua and Lindy Agate, 3010 Hope Road, enlarging residential lot to allow for animal units (zoned A-2): **MOTION** by Williams/DuPlayee to approve the CSM identified as Job No. 17G-34CS, dated 10-24-2017. **MOTION CARRIED 4-0.**

B. Discuss how to use proceeds of ATC / Milwaukee Bucks award under the Trees for Threes program: The Town has been awarded $1,500 under this program. Discussion was to replace box elder trees in Meadow Grove Park, replace cottonwoods already removed from the smaller American Heritage Park, and add trees bordering the former Natvig Landfill. The Board will look at these areas when they do the annual road inspection next spring, and also consider what type of trees would be appropriate.

C. Set date for first Town Board meeting in January: **MOTION** by Williams/DuPlayee to move the January meetings to Monday January 8th and Monday January 22nd. **MOTION CARRIED 4-0.**

III. CLERK'S OFFICE UPDATE:

A. The Clerk distributed red-line versions of ordinance chapters 01 through 11 for board members to review in preparation for a discussion on November 20th. The plan would be to hold a public hearing on December 4th, with possible adoption at the Town Board meeting immediately following.

B. The Clerk reported that on Hampton's request, she had consulted with the Town Attorney about whether the Town would have any grounds to contest the Widen Trust annexation petition. Atty. Susan Allen said her firm had a conflict of interest on the matter, and recommended seeking advice with Atty. Connie Anderson. Anderson called the Clerk today and advised that while the proposed annexation does leave uneven municipal borders, there is nothing to preclude provision of required services and no legal basis for the Town to contest the annexation.

C. The Clerk shared invitations to a November 15th public information meeting about the Glacial Drumlin trail between Madison and Cottage Grove, and an invitation to a celebration for Dementia Friendly certified businesses.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Hampton reported that the crew is putting away mowers and getting sanders out. They also moved office furniture into the new Building Inspector office.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that the DCTA/League of Municipalities meeting on October 30th was quite informative, including a good presentation on open meetings laws. The Clerk had distributed the PowerPoint to the board by email.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Williams reported that the Chief Hiring Committee will hold second interviews on Saturday, November 11th, and board members are invited to sit in. The plan is for the Hiring Committee to make a hiring recommendation to the Commission to consider at their November 16th meeting.

B. Plan Commission: Rocky Rights, LLP application for a CUP to expand their mining operation was tabled. The next meeting will be on November 15th.

VII. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 7:34 P.M.

Kim Banigan, Clerk
Approved 11-20-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 20, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Engineer Thomas TeBeest.

B. Hampton called the meeting to order at 7:07 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the November 6, 2017 meeting as presented. **MOTION CARRIED 4-0-1** (Fonger abstained).

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31762-31796 from Monona State Bank. **MOTION CARRIED 5-0.**
2. The Treasurer requested that November per diem reports be submitted by December 1.

E. Public Concerns: None.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review October Police activities: There were 208 calls for service and 129 citations issued in November. The Clerk reported that there were burglaries from cars in the South East portion of the town two nights ago.

B. Discuss/Consider approval of the 2018 Town budget: **MOTION** by DuPlayee/Hampton to approve the 2018 budget with total expenditures of $2,751,999.08. **MOTION CARRIED 5-0.**

(There was consensus to take the following agenda item out of order:)

G. Discuss/Consider waiving Flynn Hall rental fee and deposit for community dinner for those in need on December 17th: Monona Grove High School students Holly Korfmacher and Lexi Ellestad requested the use of Flynn Hall at a reduced rate for their school project in order to host a community dinner on December 17th for those in need. Their plans are to target their peers who are in need, but open it up to the community as well by posting and distributing fliers. They are contacting area businesses for donations of food and/or funds. **MOTION** by Williams/DuPlayee to waive the fee and deposit for use of Flynn Hall on December 17th, including the kitchen. A teacher must sign the hold harmless waiver. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of Resolution 2017-04 Acceptance of Public Improvements in Viney's Addition to Skyhigh: It was confirmed that all requirements of the Development Agreement, dated November 21, 2016 have been met. A provision of the Development Agreement states that upon acceptance of the improvements, the Town will reduce the amount of the letter of credit to an amount not to exceed 10% of the cost of improvements. TeBeest explained that this is standard practice to go along with the 14 month guarantee of the workmanship of the improvements, which is also a provision of the Agreement. Don Viney argued that they have done everything the Town has asked, and spent more money than they ever anticipated. He said they had done the Town a favor by protecting farmland, and described the development process as a nightmare. **MOTION** by Anders/DuPlayee to adopt Resolution 2017-04 Acceptance of Public Improvements in Viney's Addition to Skyhigh,

with revisions to indicate that the letter of credit is to be released. **MOTION CARRIED 5-0.** It was noted that releasing the letter of credit does not void the 14 month guarantee of workmanship, which commences with the application of the binder coat in August of 2017.

D. Discuss/Consider approval of Certified Survey Maps for previously approved rezones:

1. 1924 US Highway 12 & 18, parcel 0711-351-9500-1– create 1.32 acre lot to separate farm house and buildings: **MOTION** by Hampton/Anders to approve the CSM identified as Office Map No.16404 dated 11-13-17, changing the Clerk signature block to read *Town*, not *Village*, Clerk. **MOTION CARRIED 5-0.**
2. Skarstinden Road, parcel 0711-264-9502-0 – create new 2.54 acre residential lot: **MOTION** by Anders/Fonger to approve the CSM identified as Office Map No.16406 dated 11-13-17, changing the Clerk signature block to read *Town*, not *Village*, Clerk. **MOTION CARRIED 5-0.**
3. 1864 US Highway 12 & 18, parcel 0711-351-9501-0 – create 1.29 acre lot to separate farm house and buildings: **MOTION** by Hampton/Williams to approve the CSM identified as Office Map No.16405 dated 11-13-17, changing the Clerk signature block to read *Town*, not *Village*, Clerk. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of Agreement for Municipal Inspection Services with General Engineering Company: It appears the numbers in the fee for Residential Early Start may be transposed, and Anders questioned the hourly charges for re-inspections when corrective actions are ordered or when an inspector is requested to attend a meeting. **MOTION** by Hampton/DuPlayee to table until the December 4th meeting to allow for the Clerk to get clarification on fees and for Town Attorney review of the contract language. **MOTION CARRIED 5-0.**

F. Discuss/Consider response to Robert Daniel Olson regarding residential permitting and inspection: **MOTION** by Hampton/Williams to direct the Chair to sign and send a letter to Mr. Olson as drafted by the Town Attorney, and for the Chair to send a letter to Viken Inspection Agency, LLC on the same subject. **MOTION CARRIED 5-0.**

H. Discuss/Consider strip and wax of Town Hall tile floor: Based on Coverall's quote of 30 cents per square foot, it is estimated it would cost around $450.00 to have the main hall and building inspector office floors stripped and waxed. There is money left in the 2017 budget to allow for it. **MOTION** by Williams/DuPlayee to approve stripping and waxing of the Town Hall tile floor, including the main hall and building inspector office, at a cost of 30 cents per square foot. **MOTION CARRIED 5-0.**

I. Discuss and consider revisions to TCG Ordinances 01 through 11 as recommended by the Town Attorney and staff: The Clerk took notes of Board recommended revisions to the red-lined versions provided.

- 01.06 Compensation of Municipal Officials and Employees: The Clerk should provide current policies/practices for the Attorney to consider incorporating here.
- 1.07 (7) Microfilming or optical imaging of records: The Clerk should request the sample electronic records retention ordinance referenced in the document.
- CHAPTER 2 - No changes
- 3.03 Finance Committee – There is no intention of forming a finance committee.
- 4.06 Joint Fire Protection Committee - Yes there is such a committee

- 5.02 (c) – There is no reason to change the open hours to begin at 6:00 A.M. as suggested.
- 5.03 (2) Fees. These are reviewed annually as part of the budget process...the entire fee schedule is reviewed and adopted by resolution each year.
- 5.03(3)(C) Limit appeal to 30 days.
- CHAPTER 6 - No Changes
- CHAPTER 7 - No Changes
- CHAPTER 8, Exhibit A on page 5: Where it refers to borings and trenching, need change to Boring, trenching or plowing. This occurs in the 3rd line of the table and in item 2. of the notes on the bottom.
- 9.10 (9) Permit deposit and charges: Because this ordinance is often sent out stand alone to parade applicants, and the fees are unlikely to change with any frequency, the Board would like to keep them in the ordinance rather than having them set by resolution of the Town board.
- CHAPTER 10: Question: We have recently been having a pan handler standing on the corner of Hwy AB and Femrite Drive. Is there any statute we can incorporate by reference or something to prohibit this?
- 10.08 Regulation of discharge of weapons - The Board sees no need for imposing limits on bows or crossbows.
- CHAPTER 11: This ordinance was put together piecemeal, and it would be great if we could clean up the enforcement process for the various pieces to be more consistent.
- 11.02 (5) The clerk will request the model ordinance from the WDNR or suggest that the Attorney incorporate the language here.

The Clerk will forward these items to the Town Attorney and the Board will review again on December 4th.

J. Discuss/Consider response to Village President regarding Joint Board meeting topics and date: Consensus was to try to hold a meeting in January, the 4th Thursday or any Tuesday. Topics to include:

- Annexations: How many vacant lots does the Village currently have available, how annexations affect Town roads, schools?
- Police: How are the two departments working together?
- Emergency Government Ordinance Update.
- El Margo Park – sharing future development of a larger, joint park when Village territory adjacent to it is developed.
- Roads: Maintenance, speed limits.

K. Discuss/Consider paid holidays in lieu of Christmas Eve and New Years Eve, which fall on Sundays: **MOTION** by Hampton/DuPlayee that paid holidays for eligible employees will be Friday, December 22, Monday December 25, Friday, December 29 and Monday, January 1st (except that the Clerk and Treasurer are required to be here on Friday December 29th for tax collection. They each are allowed a floating holiday sometime in December.) **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Smith reported they are ready for snow, and have been working on repainting basketball backboards. New playground equipment for El Margo Park has been ordered, will be delivered next week and will need to be stored for the winter.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

1. He asked if there was interest in the WTA new Town Officers handbook at $40 each plus $7 shipping. Consensus was to order one copy.
2. On November 15th he met with Rick Roll and Heather Stouder of the City of Madison Planning Department, who indicated interest in doing something about a boundary agreement. Today he met with Town Atty. Susan Allen and Planner Mark Roffers, and he intends to have an item on the December 18th agenda for the Board to take action on what to do.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Williams reported that the Chief Hiring Committee held an assessment and second interview with the two Chief finalists on November 11th, and unanimously recommended Jeffrey Matcha as the next Chief. Employment agreement negotiations are in progress and it is expected that he will be officially appointed at the December 21st meeting of the Deer Grove EMS Commission.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:02 P.M.

Kim Banigan, Clerk
Approved 12-04-2017

TOWN OF COTTAGE GROVE
RESOLUTION NO. 2017-04
ACCEPTANCE OF PUBLIC IMPROVEMENTS IN VINEY'S ADDITION TO SKYHIGH

A. The Town Board approved the Final Plat of Viney's Addition to Skyhigh (the "Development").

B. In conjunction with the approval, the Town of Cottage Grove entered into a Development Agreement with Viney Acres, LLC (the "Developer") dated November 21, 2016 (the "Development Agreement").

C. The Development Agreement required the Developer to install Public Improvements in compliance with the applicable standards specified in the Development Agreement.

D. The Developer has installed Public Improvements and has asked the Town Board to accept Public Improvements and to release the Developer's letter of credit.

E. The Town Engineer inspected Public Improvements and recommended acceptance of them upon completion of the gate, trees and plantings along the County Highway N frontage (See correspondence from Thomas J. TeBeest to Kim Banigan dated November 10, 2017 attached hereto as Attachment A).

F. The gate, trees and plantings along the County Highway N frontage as outlined in the Development Agreement have been completed.

NOW THEREFORE, the Town Board of the Town of Cottage Grove resolves as follows:

1. Acceptance of Public Improvements. The Town Board accepts the public improvements identified in the Development Agreement.

2. Release of Surety. The Town Clerk is authorized to release the letter of credit provided by the Developer pursuant to the Development Agreement.

The above Resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting on November 20, 2017 , by a vote of 5 in favor, 0 opposed, and 0 not voting.

APPROVED:

By Kris Hampton
Kris Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

Attachments:
Attachment A – Letter from Thomas TeBeest to Kim Banigan dated November 10, 2017

TOWN & COUNTRY
ENGINEERING, INC.

November 10, 2017

Ms. Kim Banigan
Town Clerk
Town of Cottage Grove
4058 C.T.H. N
Cottage Grove, WI 53527

Subject: Viney's Addition to Sky High – Final Review Comments

Dear Kim:

We received final as-built plans and documentation for Viney's Addition to Sky High from the developer's engineer on November 6, 2017. Copies of these documents are included for your use. Upon review of these documents, and as a follow up to our previous review letter dated September 26, 2017, we have the following comments:

1. The subdivision appears to be substantially complete. The grass is established and the paving and gravel shoulders are finished.

2. The temporary stone ditch checks have been removed by the contractor.

3. The gate across the driveway to the pond from CTH N needs to be installed.

4. The trees and plantings between the pond and CTH N have not been installed.

5. Birrenkott Surveying, Inc. provided a certification that all survey monumentation is complete on October 19, 2017. A copy is included for your use.

6. The area east of the cul-de-sac has been repaired, reseeded and erosion matting has been added as requested. Sediment from construction has been removed from the pond and areas around the pond and bio-retention areas have been seeded and matted.

7. An as-built certification for the stormwater management pond and bio-retention areas has been submitted to Dane County by the developer's engineer. It is our understanding that Jason Tuggle at Dane County has accepted this certification. A copy is included for your use.

8. Quam Engineering, LLC submitted a final as-built grading plan of the site and the pond and bio-retention areas on November 6, 2017. We have reviewed these as-built plans and they appear to be in substantial compliance with the original plans for the development. However, the developer has requested that final grades on Lots 8 & 9 be achieved when basement foundations for these lots are excavated. The plan shows the proposed finished grades for the two lots. We recommend that the Town allow for this but confirm final property elevations prior to issuing occupancy permits for these properties. We further recommend that the as-built grading plan be provided as a record of the final grades to home builders to ensure drainage patterns and easements are not altered by filling, plantings or structures.

This concludes our comments. We hereby recommend acceptance of the development upon the completion of the gate and trees and plantings along the CTH N frontage. We have no objections to the Town releasing the developer's letter of credit upon the Town's acceptance of the development.

Please feel free to contact me with any questions regarding our review.

Sincerely,
TOWN & COUNTRY ENGINEERING, INC.

Thomas J. TeBeest

Thomas J. TeBeest, P.E.
Project Engineer

cc: Ms. Susan Allen, Stafford Rosenbaum LLP *(1200 N. Mayfair Rd. Suite 430, Milwaukee, WI 53226-3282)*

Mr. & Mrs. Donald Viney *(2093 U.S.H. 12 & 18, Cottage Grove, WI 53527)*

Mr. Ryan Quam, Quam Engineering, LLC *(4604 Siggelkow Road, Suite A, McFarland, WI 53558)*

Mr. Daniel Birrenkott, Birrenkott Surveying, Inc. *(1677 N. Bristol Street, Sun Prairie, WI 53590)*

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TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 4, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and Dane County Assistant Zoning Administrator Daniel Everson.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the November 20, 2017 public hearing, special meeting of the electors, and Town Board meeting as presented. **MOTION CARRIED 5-0.**

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #31797-31826 from Monona State Bank, including voided check #31808. **MOTION CARRIED 5-0.**
2. **MOTION** by Anders/Fonger to approve payment of November per diems as presented, and payment of $425.00 to Viken Inspection Agency, LLC for November building permits. **MOTION CARRIED 5-0.**

E. Public Concerns: None.

F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to permit Charter to drill across the right-of-way of Baxter Road to install a 300' conduit. **MOTION CARRIED 5-0.**

II. BUSINESS:

A. Plan Commission Recommendations:

1. Duane Farwell, applicant, Duacam Investment LLC, landowner, parcel 0711-193-8096-1 at 3812 County Highway AB – requesting rezone of 1.0 acres from R-1A to R-3A to allow for building of a duplex home: The Clerk stated that she had confirmed with Dane County that that since the parcel is in the Neighborhood Development area of the future land use plan, and has been residential since before 1981, no RDU is needed to convert from single family to duplex zoning. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 1.0 acres from R-1A to R-3A to allow for building of a duplex home. **MOTION CARRIED 5-0.**
2. Rocky Rights LLC, applicant, Kirk and Heidi Eilenfeldt, landowners – requesting conditional use permit for expansion of non-metallic mining site at 2294 US Highway 12 & 18 to include mineral extraction (gravel quarry) for 35 acres on parcel 0711-273-9514-0 currently zoned A1-EX:
   - Wade Cattell of Rocky Rights, LLC provided an overview of the planned mining operations on the new 35 acre site just north of the existing non-conforming site. Exterior berms will be 7' high and interior berms will be 5' high, all with a 1:1 slope. A perimeter fence will consist of three strands of barbed wire. A maximum of 9 acres will be active at any one time, including three phases: 1) operating, 2) dewatering, 3) reclamation. The remainder will continue to be farmed, with farming access from North Star Road, not through the main quarry entrance. He expects to begin mining operations about 6 months after approval. The Plan Commission proposed a 10 year term for the CUP, and operating hours of 6 a.m. to 6 p.m. Monday thru Friday, and 6

a.m. to 4 p.m. on Saturdays only with prior notice to adjacent property owners and the Town. He is asking for up to five Saturdays per year. He stated there may be other work performed on Saturdays (hauling in and out), but no mining without the required notice, and no work at all on Sundays. Material will be trucked from the new site to the non-confirming site for use in the concrete batch plant. He expects mining to be active for 3 months per year, unless there is demand for more. Reclamation will be continuous. There will be no blasting or crushing on the new site, however there is crushing on the non-confirming site.

- Fonger said he remembered hearing there was 20-30 years of gravel in the existing pit. Cattell said there is sand stone remaining in the existing pit, but not aggregate (gravel and the appropriate type of sand) needed for concrete manufacturing. He thinks there is enough on the new site to last 20 years, and said that by expanding to the new site he can use existing infrastructure to supply the concrete plant vs. the increased traffic that bringing in material would create. The concrete batch CUP has another 19 years.
- Atty. Christa Westerberg introduced herself as representing neighbors of the existing site, and stated that she has 15 years of experience as an attorney, primarily in zoning work. She said that the issue of timing of the application seems to now be resolved, but County enforcement of the existing site is still unresolved, and she does not feel that the proposed substantial expansion can meet the six standards under DCCO 10.255(2)(h), especially items 1 and 2. She specifically mentioned noise from backup beepers that are disruptive to neighbors, and a drop in property values. She stated that the Town's Comprehensive Plan recognizes that dust, noise and traffic from mining sites can negatively affect neighbors. She stated that the additional conditions for a CUP in the A-1EX district under DCCO 10.123(5) are not addressed by the application, and that the Town's Agricultural Preservation planning district says nothing about mines.
- Otto Otteson, 2173 Nora Road, was opposed to the CUP. He has lived with the gravel pit his entire life, and does not see a reason to expand as long as the existing site still has material available. He thinks there should be reclamation on the existing site before an expansion is discussed, and is concerned about the affect on the watershed, aquifer, and little Door Creek, as well as reduced property values.
- Jonathon Enriquez, 3380 North Star Road, bought his property in 2013 and said at that time the piles were not as big as they are today. He said he moved there for the view, which is being taken away. He questioned the reason to expand, and mentioned a petition submitted against an application to expand the quarry to the West of the existing site back in March of 2017, which was re-submitted with additional signatures in August of 2017 to oppose this application. He urged the board to deny the expansion.
- Alex Tukiendorf, 2292 US Highway 12 & 18, said his property abuts the existing site on two sides. He hears back up alarms and everything else occurring on the site from the inside of his house. He noted that an earlier attempt to expand this site was denied by the Town Board on September 8, 2015 due to standard #2 not being met, and further precedent exists with the denial of another mining site in September of 2016, also for failure to meet standard #2. He felt a three-strand barbed wire fence will not prevent curious children or adults from entering the site. He alleged a recent safety

violation at the current site when the gate was left open from November 22nd through the 26th. He said he quit calling the Town's contracted Deputies when he observes violations because he doesn't believe the Town should be paying to protect private property. Anders and Fonger said if he felt there was a safety risk he should have called the Deputy. Kirk Eilenfeldt said he had someone working the fields during that time frame who may have left the gate unlocked. Cattell said his crew did not work from Thursday thru Sunday due to the Thanksgiving holiday. Tukiendorf also urged the board to deny the expansion,

- Atty. Buck Sweeney, representing Rocky Rights, LLC, said that since the sand stone material remaining in the non-conforming site is not appropriate material for making concrete, expansion to the isolated site to the North is ideal compared to hauling in material. He said the plans to put the site back into agriculture are very consistent with the A1-EX zone, and the requested conditional use is reasonable considering pre-existing uses in the vicinity. He said it will be further from neighbors than the existing site is, will have minimal conversion with only 9 acres active at any one time, will will not impair future development, will not require additional utilities, and will not harm any other properties.
- DuPlayee asked if mining will lower the land, and how it will impact Little Door Creek. Cattell said fill will be brought back in as needed, and DNR regulations will ensure there will be no impact on the creek.
- Fonger asked why the existing site has not been reclaimed. Cattell replied that it is used for processing, crushing and recycling.
- Appraiser Scott Mac Williams repeated the presentation he made at the November 15, 2017 Plan Commission meeting, providing sales data to refute the claim that property values have been reduced by the current site.
- Kirk and Heidi Eilenfeldt, owners of the proposed new site, said they have talked to neighboring landowners and found them to not be in opposition. The Eilenfeldts have been farming the site for 19 years, and plan to continue to farm it. Mr. Eilenfeldt said it is not the best land, very rocky, which they hope will improve with reclamation. They own a 25 acre buffer between the proposed site and Little Door Creek.
- At this point the Town Board voted on the findings required by Dane County Ordinances for conditional use permits:
  - DCCO 10.123(5) findings when conditional use will be on lands owned A1-EX:
    1. a) Approved 5-0, b) Approved 5-0, c) Approved 5-0, d) Approved 5-0, e) Approved 5-0, f) Approved 5-0, g) Approved 5-0.
    2. Approved 5-0.
    3. Approved 5-0
    4. Approved 5-0
    5. Approved 5-0
    6. Approved 5-0
    7. Approved 5-0
    8. Approved 5-0

- DCCO 10.255(2)(h) findings for all conditional uses:
  1. Approved 5-0
  2. Approved 4-1 (Anders opposed)
  3. Approved 5-0
  4. Approved 5-0
  5. Approved 5-0
  6. Approved 5-0
- The Clerk read the conditions as recommended by the Plan Commission:
  - Operating hours of 6 a.m to 6 p.m., Monday thru Friday, 6 a.m to 4 p.m. on no more than six Saturdays each year, with 7 days prior notice provide to the Town clerk, plus the residents at 2252, 2272, and 2292 US Highway 12 & 18, 3380 North Star Road, and all others within 500 feet of the new site. It was discussed that notice could be by whatever means is agreeable to the Rocky Rights, LLC and the recipient.
  - Property boundaries to be surveyed and entire property must be surrounded by a perimeter fence.
  - Exterior sides of active areas will have a 7' high berm with 1:1 side slopes
  - Interior sides of active areas will have a 5' high berm with 1:1 side slopes
  - Berms to be seeded within 14 days.
  - A maximum of 9 acres can be active at any one time, including all three phases of up to 3 acres each: 1) operating, 2) dewatering, 3) reclamation.
  - Reclaimed areas must be returned to agricultural use.
  - The following are prohibited on the new 35 acre site: Blasting,crushing,screening, production of asphalt or concrete, storage of recycled material, permanent structures, additional water wells, lighting, vehicle storage, fuel storage.
  - Haul roads must be maintained for dust control.
  - No altering of topography within 5' of the property line.
  - CUP expires after 10 years
  - CUP must be posted on the site.
- Anders stated his primary concern is the length of the CUP, he feels a five year permit would allow the operators to show they are in compliance and ask for a renewal.
- **MOTION** by DuPlayee/Fonger to approve a conditional use permit for expansion of non-metallic mining site at 2294 US Highway 12 & 18 to include mineral extraction (gravel quarry) for 35 acres on parcel 0711-273-9514-0 currently zoned A1-EX, including all of the conditions stated above, and noting that the findings under DCCO 10.255(2)(h) and DCCO 10.123(5) have been considered satisfied. **MOTION CARRIED 4-1** (Anders opposed).

B. Discuss/Consider approval of Agreement for Municipal Inspection Services with General Engineering Company: **MOTION** by Hampton/Williams to authorize Atty. Susan Allen to

negotiate the final terms and authorize the Town Chair to sign the final agreement, as outlined in Atty. Allen's memo to the Board. **MOTION CARRIED 5-0.**

C. Discuss/Consider enforcement of TCG Ord. Section 11.09 for clean-up after garage fire at 4454 Baxter Road: **MOTION** by Anders/DuPlayee to authorize the Town Chair and Highway Superintendent to perform the initial inspection under TCG Ord. Section 11.09. **MOTION CARRIED 5-0.**

D. Discuss/Consider approval of Election Inspectors for the 2018-19 term: The Clerk reported that the Republican Party submitted names of two persons who have already served as election inspectors, and the Democratic Party did not submit any names. All 28 of those submitted by the Clerk are Town residents and experienced election inspectors. **MOTION** by Williams/Hampton to approve the list of 28 election inspectors for the 2018-19 term. **MOTION CARRIED 5-0.**

E. Discuss/Consider approval of a Lock Box Service Agreement with Monona State Bank for first installment property tax collection: **MOTION** by DuPlayee/Williams to approve the Lock Box agreement as presented. **MOTION CARRIED 5-0.**.

F. Discuss/Consider approval of an Addendum to modify the agreement between Schindler Elevator Company and the Cottage Grove Fire Station: The addendum offers a reduced cost for a 5 year commitment. **MOTION** by Williams/Anders to approve the addendum. **MOTION CARRIED 5-0.**

G. Discuss and consider revisions to TCG Ordinances 01 through 11 as recommended by the Town Attorney and staff: The Clerk had provided revisions made since the November 20th meeting, including minor changes to Chapters 1, 5, 7, and 8, and a reorganization of Chapter 11 to consolidate to a common enforcement procedure for the various violations. **MOTION** by Hampton/DuPlayee to forward the the revisions to Chapters 1 thru 11 to a public hearing to be held on January 8th, 2018, and to direct the Town Attorney to begin preparation of summaries as needed for publication once the revisions are adopted. **MOTION CARRIED 5-0.**

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: New playground equipment for El Margo Park will be delivered next week and will need to be stored for the winter.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton distributed materials for other board members to review in preparation for a closed session discussion on December 18th about boundary negotiations with the City of Madison.

VI. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Williams reported that the commission authorized making a job offer to one of the Chief candidates, and negotiations for an employment agreement are going well. The Chief appointment is expected to occur at the December 21st meeting.

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:26 P.M.

Kim Banigan, Clerk
Approved 12-18-2017

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 18, 2017

I. ADMINISTRATIVE

A. Notice of the meeting was posted at the Town Hall and on the Town's internet site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were all in attendance, as well as Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, and Deputy Brian Biwer.

B. Hampton called the meeting to order at 7:00 P.M.

C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the December 04, 2017 Town Board meeting as presented. **MOTION CARRIED 5-0.**

D. Finance Report and Approval of Bills:

1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #31827-31859 from Monona State Bank. **MOTION CARRIED 5-0.**
2. The Treasurer reported that 2017 property tax collection has begun, and asked that December per diem reports be submitted by January 5, 2018.

E. Public Concerns: Kristi Williams reported that she attended the community dinner for those in need hosted by two Monona Grove H.S. Students. She said they made a nice effort but the event was unattended.

F. Road Right of Way Permits: None.

II. BUSINESS:

A. Review November police activities: There were 219 calls for service in November, and 153 citations issued. Deputy Biwer reported that they have not seen the uptick of break ins typically seen during the holidays. He and Deputy Grafton recently participated in the annual "shop with a cop" event, and they plan to meet with the schools to get more participation from Town families next year. Deputies French and Grafton hosted a group of cub and girl scouts at the Police station recently.

B. Discuss/Consider approval of donating a desk from the police station to the Sheriff's office West Precinct: **MOTION** by Fonger/Anders to approve the donation of the desk. **MOTION CARRIED 5-0.**

C. Discuss/Consider approval of 2018 Insurance Coverage: Michelle Strauss of the Horton Group introduced herself as an independent agent who has represented the Town and hundreds of other municipalities for over 20 years. She presented an overview of the Town's insurance coverage for 2018, which will be provided by Glatfelter Public Practice, with worker's compensation insurance provided by Bitco Insurance Companies. She also provided a 5 year claims history, noting that the the Town receives a 15% discount on workers compensation insurance due to a low modification factor. She recommended sending out an RFP no more than once every 3-5 years. **MOTION** by DuPlayee/Anders to approve 2018 insurance coverage as presented. **MOTION CARRIED 5-0.**

D. Discuss/Consider quotes to replace 2005 John Deere loader in 2018: Smith had obtained three quotes for the same machine, a new John Deere 324K Four Wheel Drive loader, trading in the 2005 John Deere 304J loader:

1. Mid State Equipment: $37,060.56 after trade.
2. Fabik CAT: $49,500.00 after trade.
3. Brooks Tractor: $51,000.00 after trade.

MOTION by DuPlayee/Williams to approve trading in the 2005 JD 304J loader for a new JD 324K loader with Mid State Equipment, at a net cost of $37,060.56 after trade. **MOTION CARRIED 5-0.**

(Note that the Public Works Department update was given at this point so that Smith could leave before the closed session. Treasurer Deb Abel also left before the closed session).

E. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Strategy for boundary negotiations: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** The closed session began at 8:03 P.M.

F. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Anders/Williams to reconvene to open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 8:41 P.M. and there was no action as a result.

III. CLERK'S OFFICE UPDATE: Nothing to report.

IV. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: Tree trimming on West Jargo and Vilas Roads is in progress by an independent contractor. There has been a request to reduce the speed limit on the portion of Vilas Road between County Hwy BB and Gaston Road. The Clerk distributed copies of email correspondence with the County and WDOT. This will be on the Town Board's January 8th agenda.

V. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

1. New chairs were donated for the EOC.
2. Rocky Redepenning has resigned from the cemetery association.
3. Hampton attended the recent Yahara Wins meeting: Salt has become a problem, the new waterway on the McAllen property on Gaston road is estimated to remove 75 pounds of phosphorus, $157,000 was spent on harvestable buffers around Little Door Creek to remove 1100 ponds of phosphorus. He distributed copies of the new Yahara Wins brochure.
4. The WTA Town Officers Handbook is available in the Town Office.

VI. COMMITTEE REPORTS: None.

VII. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:53P.M.

Kim Banigan, Clerk
Approved 01-08-2018