

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JANUARY 2, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Mike Klinger and Virgil Schroeder. Also present were Clerk Kim Banigan, and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
- A. **MOTION** by Schroeder/Morrow to approve the minutes of the December 19, 2005 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
- B. **MOTION** by Schroeder/Morrow to approve the minutes of the December 5, 2005 Closed Session, and to keep the minutes closed until the matter is resolved. **MOTION CARRIED 3-0-1.** Klinger abstained.
- III. Finance Report and Approval of Bills:
- A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12442 through #12481, holding check #12457 until Jeff Smith verifies that the amount was not also charged to the VISA account. **MOTION CARRIED 4-0.**
- B. **MOTION** by Schroeder/Klinger to approve the net worth at \$2,401,572.66. **MOTION CARRIED 4-0.**
- C. **MOTION** by Schroeder/Morrow to approve 2005 Plan Commission and Emergency Government Per Diems. **MOTION CARRIED 4-0.**
- D. **MOTION** by Morrow/Klinger to approve 4th Quarter Per Diems for 2005. **MOTION CARRIED 4-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Chairman Hampton reported that the December 23, 2005 test results showed gas probes 8 and 9 both at zero percent methane.

Steve Anders arrived at 7:13 P.M.

- VII. Plan Commission Recommendations: Brian Korfmacher – Consider Revised Plan for City of Madison Planning: The City of Madison rejected the original proposal due to 1) No Flag Lots – difficult to provide city services, and 2) Proposed lot not similar to other nearby lots. City suggested: Plan A: Rectangle lot of desired parcel – no flag – 5 acres, no LC-1. or Plan B: Split whole parcel in half, with 2 lots. **MOTION** by Schroeder/Morrow to accept the Plan Commission recommendation to reject plan B since it is inconsistent with the Comprehensive plan, and approve Plan A which is about a 5 acre parcel, because 2+ acres of the proposed parcel is a reclaimed gravel pit which is not buildable. **MOTION CARRIED 5-0.**
- VIII. Don and Leslie Peckham – Offer to purchase Outlot 2 on Baxter Road: The Peckhams presented a written offer to purchase Outlot 2 for \$1500. They questioned how much the additional land might add to their tax bill and were advised in approximations. They also asked for clarification regarding waterway easements, and were advised that they could not do anything to interfere with drainage, nor could they build on the Outlot. **MOTION** by Klinger/Morrow to accept the Peckham's offer of \$1500

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to purchase Outlot 2 once the court process for the Town to vacate the outlot is complete on February 6th. The Peckham's will pay for a new Certified Survey Map combining their lot with Outlot 2.
MOTION CARRIED 5-0.

- IX. Skip to agenda item D. Review Operator's License for Sarah Schimelpfing: Ms. Schimelpfenig was in attendance, and the Clerk stated that a background check revealed no new incidents since the operator's license was issued in August, 2005. **MOTION** by Schroeder/Klinger to approve Ms. Schimelpfenig's Operator's License through June 30, 2006. **MOTION CARRIED 5-0.**
- X. Discuss/Consider/Approve Contract for updating of Comprehensive Plan. Chairman Hampton read the proposed contract. **MOTION** by Hampton/Anders to approve the Contract for Professional Services by and between the Town of Cottage Grove and Mid-America Planning Services, Inc. for Preparation of Comprehensive Plan Amendments. **MOTION CARRIED 5-0.**
- XI. Discuss/Consider sale of old loader: **MOTION** by Schroeder/Morrow to set a minimum sale price of \$5000 for the old Huff Loader. **MOTION CARRIED 5-0.**
- XII. Return to Agenda Item C. Kirk Gillespie – Approve CSM for splitting off of land to sell: Mr. Gillespie clarified that the reason for the CSM is because the other recently approved CSM returned a sliver of land to A-1EX, and this must be shown on another CSM. He may sell Lot 1 in the future. **MOTION** by Hampton/Klinger to approve the CSM for Lot 1 at 57.73 acres and Lot 2 at 38.00 acres. **MOTION CARRIED 5-0.**
- XIII. Select Town Representatives for Landfill Mediation on January 16, 2006. **MOTION** by Schroeder/Klinger to appoint Hampton and Anders to represent the Town at the Landfill Mediation. **MOTION CARRIED 5-0.** Hampton requested that the remaining board members be available to consult by phone on January 16th.
- XIV. Attendee(s) for Seniors/persons with disabilities transportation options meeting at 1:00 P.M. on January 6th at the Deerfield Community Center: No Action Taken.
- XV. Angelus Advisory Board seeking members : No Action Taken.
- XVI. Clerk's Report: Dane County Town's Association Meeting is January 11th. Hampton will attend.
- XVII. Board Reports: Anders reported on his meeting with developer Andrew Homburg regarding his contract to develop land owned by Landmark Services Coop on Vilas Road.
- XVIII. Committee Reports:
- A. LEC: Morrow reported that at a short meeting, they had selected a sign for the new Police building, which they plan to move into late in January.
- B. Plan Commission: Covered in VII. and X. above.
- XIX. **MOTION** by Schroeder/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:17 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JANUARY 16, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Schroeder/Anders to approve the minutes of the January 2, 2006 Regular Board Meeting as presented. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
- A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12482 through #12546. **MOTION CARRIED 4-0.**
- B. The Treasurer noted that check #12457, which was held at the last meeting, has been voided as the amount was included in the Visa bill paid with check #12543 above.
- C. **MOTION** by Anders/Klinger to approve the net worth at \$1,488,157.25. **MOTION CARRIED 4-0.**
- D. The Treasurer stated that refund checks for property tax overpayments will be processed for the first meeting in February, and that the 2005 audit is scheduled for January 26th and 27th.
- IV. Public Concerns: Kathy Shook, 305 N. Main Street, asked about space for Girl Scout cookie delivery during the week of February 27th. Smith suggested they use the one car garage in the lower level of the Emergency Service Building, which will be vacated by the police by then. The Board agreed.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: On agenda later under closed session.
- VII. Brian Korfmacher – Zoning Plan: Korfmacher presented a map and outlined two optional plans he will present to the City of Madison. 1) His original plan with a 2-acre flag lot zoned R-1A for building site, remainder zoned A-2(4), deed restricted for no residential development, separate road access for each lot. 2) 5-acre lot for building site, squaring off of his brother's lot, resulting in 4 parcels, two of which would be deed restricted for no future residential development. **MOTION** by Hampton/Schroeder that the Town prefers option 1) with the flagged 2-acre residential lot, but would also accept option 2) as a second choice. **MOTION CARRIED 4-0.**
- Korfmacher asked if the Board would consider allowing the LC-1 spot zoning currently on the east side of Femrite Drive to be move to around the farm buildings on the west side of Femrite sometime in the future. Board consensus was that this would probably be OK.
- VIII. The Treasurer presented a preliminary Profit & Loss Budget vs. Actual report for 2005 (Available in the Clerk's office) with suggested budget adjustments identified. **MOTION** by Anders/Klinger to approve the budget adjustments as follows:
- \$ 2,800.00 from Account 50250 Board Legal Expenses to 50420 Secretary Salary
 - \$ 195.00 from Account 50250 Board Legal Expenses to 50430 Secretary FICA
 - \$ 5,900.00 from Account 50250 Board Legal Expenses to 51890 Fuel & Oil

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\$ 4,200.00 from Account 50250 Board Legal Expenses to 51780 – Sand & Salt

\$13,095.00 Total adjustment leaves \$19,905.00 in Account 50250 Board Legal Expenses

MOTION CARRIED 4-0.

IX. Library Update:

A. Ann Schoenemann of the Friends of the CG Community Library reported that the December book sale had gone very well, and the Friends Annual meeting will be held on February 9th at 6:30 P.M. at the Monona Grove State Bank in Cottage Grove.

B. Penny Andrews, Town Liaison for the Library Board, presented the Program Statement for the library, and stated that the Library Board meets on Wednesday January 18th at 6:30 P.M. at the Village Hall.

Attorney Connie Anderson arrived at 7:35 P.M.

X. 2006 Conservation Fund Grant Program: Hampton asked if the Board is interested in pursuing a grant to purchase any park land. Consensus was for Hampton to contact the owners of The Farm golf course to see if they would consider selling to the Town.

XI. Attendees for WTA District Meeting/BOR Training – April 1, 2006, Turner Hall, Madison. **MOTION** by Hampton/Schroeder for Hampton, Schroeder and Morrow to attend. **MOTION CARRIED 4-0.**

XII. Attendees for Capital Day – January 25th. Hampton will go.

XIII. Floating holiday for 2006 added to vacation time – Christmas Eve and New Years Eve. **MOTION** by Anders/Klinger to add two floating holidays to vacation time in 2006 for Christmas Eve and New Years Eve, which both fall on Sunday. **MOTION CARRIED 4-0.**

XIV. Resolution for Designation of the National Incident Management System (NIMS) as the Basis for Incident Management: **MOTION** by Schroeder/Klinger to adopt as Resolution 2006-01. **MOTION CARRIED 4-0.** **MOTION** by Schroeder/Anders to allow the Town Board one per diem for attending NIMS training and passing the test. **MOTION CARRIED 4-0.**

XV. **MOTION** by Klinger/Hampton to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STAT. SEC 19.85(1)(g) FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL WHO IS REDERING ORAL ADVICE CONCERNING STRATEGY TO BE ADOPTED WITH RESPECT TO COTTAGE GROVE LANDFILL LITIGATION. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0. MOVED TO CLOSED SESSION AT 7:57 P.M.**

XVI. **MOTION** by Anders/Klinger to **RECONVENE TO OPEN SESSION. ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0. RECONVENED TO OPEN SESSION AT 8:28 P.M.**

XVII. **MOTION** by Hampton/Klinger to accept the recommendation based on mediation and begin drafting of the final agreement for presentation at the February 6, 2006 regular board meeting. **MOTION CARRIED 4-0.**

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- XVIII. Update on Accessible Group Transportation in NE Dane County: Hampton reported that the plan is for a bus to transport senior citizens from Deerfield and Cottage Grove once per week to Piggly Wiggly. Also may be funds to allow for occasional recreational trips, or seasonal trips to shopping malls. The service will need to be publicized, consider for Annual Report.
- XIX. Clerk's Report: None.
- XX. Board Reports:
- A. Hampton reported:
1. Strand Associates has sent acknowledgement of Agreement for 2006 services for the landfill
 2. Regulated Drug Screening Statistical Report July-Dec 2005 shows 1 random test with negative results.
 3. Cottage Grove Chamber of Commerce sent ballot for election of officers and directors. Board consensus was to not cast a ballot.
 4. Acknowledgement of Withdrawal Letter for the EMS agreement has been received from the Town and Village of Deerfield.
 5. 2006-2007 Local Roads Improvement Program State/Municipal Project Agreement has been received. Projects must be advertised as a Class II notice and must indicate that LRIP funds will be used to fund the project.
- B. Anders asked the status of new meeting chairs, and business cards for Board members. The Clerk will pursue business cards printed in-house as needed.
- XXI. Committee Reports:
- A. LEC: Hampton reported that the Village Attorney said he would work today on the lease for the Garst Building. Remodeling is almost complete, Town and Village Public Works will help the Police Department move.
- B. Plan Commission: No report.
- C. Emergency Government: Schroeder reported that future meetings will be in different locations, allowing for tours of various facilities. February meeting will be at Cottage Grove Elementary.
- XXII. **MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:07 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WISCONSIN 53527

RESOLUTION 2006-01

*Designation of the National Incident Management System (NIMS)
as the Basis for Incident Management*

WHEREAS, the President, in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the Governor of the State of Wisconsin in Executive Order No. 81 directed that state agencies adopt NIMS as the State standard for incident management and recommended that local governments adopt NIMS as their standard incident management; and

WHEREAS, the Dane County Board of Supervisors has adopted the National Incident Management System (NIMS) as the County standard for incident management and recommends that all municipalities within Dane County also adopt NIMS as their standard for incident management; and

WHEREAS, the adoption and incorporation of the NIMS is an eligibility requirement for future Federal Homeland Security grants to county and local governments; and

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the county's ability to utilize federal and state funding to enhance local readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the NIMS incident Command System is already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT RESOLVED that the Town of Cottage Grove adopts the National Incident Management System (NIMS) as its standard for incident management.

Adopted this 16th day of January, 2006 by a vote of 4 for and 0 against.

(Signed copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 6, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders, Dave Morrow and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. Approval of the January 16, 2006 regular board minutes was postponed while the treasurer checked on a questioned item. See item VIII. below.
 - B. **MOTION** by Schroeder/Anders to approve the minutes of the January 16, 2006 Closed Session as presented, and to keep the minutes closed until the matter is resolved. **MOTION CARRIED 4-0-1** (Morrow abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12547 through #12629, which included tax overpayment refunds for taxes collected at the Town Hall. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Hampton to approve the net worth at \$2,389,049.82. **MOTION CARRIED 5-0.**
 - C. The Treasurer reported that the 2005 audit was very successful, and the budget carryover is within earlier projections. The only area to work on is an improved system for approval of payroll for hourly employees.
 - D. The Treasurer further reported that 2005 Property Tax collection was completed on January 31st. Having Dane County collect the mailed tax payments was successful, and resulted in only 26 batches processed in house, vs. 76 batches in the previous year. A report of overpayments processed by the county will be available on February 17th, and refund checks will be ready for approval at the February 20th regular board meeting. There are eight outstanding personal property tax bills, which the treasurer will pursue. She is also working on 2004 unpaid personal property charge backs to the school districts this week.
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Chairman Hampton reported that the January 27, 2006 test results showed zero percent methane in both gas probes 8 and 9.
- VII. Duane Swalheim (Arlow Schedel, Owner) – 2263 Schedel Road – Zone Change - A-1EX to RH-1 for 2.0 acres. Intended land use to separate farm buildings from remainder of 46 acre parcel. Mr. Swalheim reported that he had met with Pete Conrad at Dane County Zoning, who told him that C0-1 zoning for Lot 2, as approved by the Plan Commission, would not allow for a driveway or agricultural use as intended. Instead, it was suggested to eliminate Lot 2,

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resulting in Lot 1 being 2.29 acres, with an easement and deed restriction on the south-east corner for no residential development. The discussion was tabled until the February 20th regular board meeting, giving Mr. Swalheim time to obtain a new survey map and language for the deed restriction.

- VIII. After input from the Treasurer, **MOTION** by Schroeder/Anders to approve the January 16, 2006 regular board minutes as printed. **MOTION CARRIED 5-0.**
- IX. Discuss/Consider 2006 Land Rental Agreement – Halverson. **MOTION** by Schroeder/Anders to renew the Cash Farm Lease for five acres on Natvig Road for a three year term at \$80/acre, for a total of \$400/year. **MOTION** carried 5-0. The Clerk will prepare the new lease and mail it to Mr. Halverson.
- X. Dane County Parks and Open Space Plan Update – Laura Guyer, Dane County Department of Land and Water Resources: Ms. Guyer presented a map showing the Parks and Open Space Plan, stating that current priorities affecting the Town include a connection of the Glacial Drumlin and Capital City bike trails, Door Creek as a priority stream, and a trail connection from McCarthy Park to Lake Kegonsa. The plan is in the process of being revised, with public listening sessions planned in the near future. She will get the dates to the Clerk. She also passed out copies of a letter describing the 2006 Conservation Fund Grant Program, explaining that matching funds are available for purchase of land or conservation easements that fit the plan. Parcels need to be identified by the County for eligibility, and have a willing seller. An appraisal is required with the grant application, and the County will help as much or little as desired with purchase negotiations. A further discussion of applying for a grant will be put on the agenda for the February 20th regular board meeting.
- XI. Discuss/Consider “for Rent” sign for former town garage: **MOTION** by Hampton/Klinger to have Jeff Smith put up a sign as soon as possible, with his phone number as the contact, and starting rent at \$1200/month. **MOTION CARRIED 5-0.**
- XII. Discuss/Consider format for 2005 Annual Report and Newsletter: The Clerk reported that a resident had complained about the small print in last year’s annual report, and requested board input on possibly changing the format to allow for larger print. A change would lead to higher printing and mailing costs. Board consensus was to lean toward keeping it the same this year, but discuss it again at the February 20th board meeting.
- XIII. No closed session was held. Chairman Hampton read an email from Attorney Connie Anderson stating that there is nothing to report until she hears from the Village Board on their discussion tonight regarding the Landfill litigation.
- XIV. Clerk’s Report:
- A. Dane County Ordinances – None.
- B. Memorandum of Understanding with Dane County for purchase of Handicapped Accessible Voting Equipment: **MOTION** by Anders/Schroeder to approve the Memorandum of Understanding (available in the Clerk’s Office). **MOTION CARRIED 5-0.**

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C. **MOTION** by Schroeder/Klinger to approve a per diem and mileage for the Clerk to attend an Open Meetings/Public Records seminar at Blackhawk Technical College on March 8th.
MOTION CARRIED 5-0.

XV. Board Reports: Hampton noted that he had put copies of a Verona Joint Newsletter regarding their proposed consolidation in each board member's mailbox.

XVI. Committee Reports:

A. EMS Commission: Hampton is asking for the next meeting to be rescheduled from February 16th to February 23rd.

B. Joint Fire Department Committee: No Report.

C. LEC Committee: Police Department has relocated to the former Garst building. Discussion that sign needs better lighting.

D. Plan Commission: No Report.

E. Joint Town/Village Plan Committee: No Report.

XVII. **MOTION** by Klinger/Schroeder to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:28 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
FEBRUARY 20, 2006

- I. Chairman Hampton called the meeting to order at 7:13 P.M. at the Town Hall. Other board members present were Virgil Schroeder and Steve Anders. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. Attorney Connie Anderson arrived at 7:30 p.m. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Schroeder/Anders to approve the minutes of the February 6, 2006 regular Town Board Meeting as presented. **MOTION CARRIED 3-0.**
- III. Finance Report and Approval of Bills:
 - B. The Treasurer stated that she had created new account #51050 Police Building and Insurance, and that check #12661 for should be against the new account. Checks to approve include 90 property tax overpayments and February settlement checks to Dane County and the school districts that were issued February 7-19th. **MOTION** by Hampton/Anders to approve payment of bills corresponding to checks #12630 through #12765. **MOTION CARRIED 3-0.**
 - C. **MOTION** by Anders/Schroeder to approve the net worth at \$1,268,887.57. **MOTION CARRIED 3-0.**
- IV. Public Concerns:
 - D. Terri Russell, 2037 DiPiazza Drive, read a statement (attached as Exhibit A, available in the Clerk's office) describing problems over the weekend with snowmobiles not staying on the designated trail on Baxter Road. She also presented pictures taken on the morning of Saturday, February 18th, showing snowmobile tracks and activity along Baxter Road, and stated that the situation has gotten much worse since the pictures were taken. Chairman Hampton asked to keep the pictures, he will contact police and the snowmobile club, and include discussion of the Baxter Road snowmobile route on the March 6, 2006 Town Board Agenda. Terri Russell expressed concerns over retaliation by snowmobilers.
 - E. Eric Hohol, Dane County Board candidate, introduced himself.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: None.
- VII. Duane Swalheim (Arlow Schedel, Owner) – 2263 Schedel Road – Zone Change - A-1EX to RH-1 for 2.0 acres. Intended land use to separate farm buildings from remainder of 46 acre parcel. Mr. Swalheim presented a new preliminary survey map with Lot 1 at 2.29 acres and Lot 2 at 22.31 acres. **MOTION** by Anders/Schroeder to approve the rezone of Lot 1 from A-1 to A-2, and Lot 2 from A-1 to RH-1, with the final map showing the road right-of-way for both lots dedicated to the Town, and a 66 foot access easement on the eastern edge of Lot 1 with a deed restriction for no buildings that would obstruct the easement. **MOTION CARRIED 3-0.**
- VIII. Blasting Permit for Gaston Quarry – R.G. Huston, Inc. **MOTION** by Schroeder/Anders to approve the blasting permit with an effective date of April 1, 2006. **MOTION CARRIED 3-0.**
- IX. Discuss/Consider application for 2006 Conservation Fund Grant: No Discussion.

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- X. Format for Annual Report: The Clerk presented a preliminary version of the 2005 Newsletter, and asked for the Board's opinion on the type size. Consensus was to go with the format presented.
- XI. **MOTION** by Schroeder/Anders to MOVE TO CLOSED SESSION as permitted by Wis. Stat. sec. 19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning strategy to be adopted with respect to Cottage Grove landfill litigation, and 19.85(1)(e) for deliberating or negotiating the purchasing of public properties whenever competitive bargaining reasons require a closed session. **Roll call vote – all ayes.** The Board moved to closed session at 7:52 P.M.
- XII. **MOTION** by Schroeder/Anders to reconvene to open session. **Roll call vote – all ayes.** The Board reconvened to open session at 8:35 P.M.
- XIII. As a result of the closed session, **MOTION** by Anders/Schroeder to approve signing of the Agreement Between the Town of Cottage Grove and the Village of Cottage Grove Regarding the Natvig Landfill. **MOTION CARRIED 3-0.**
- XIV. Clerk's Report:
- F. Dane County Ordinances
1. **MOTION** by Hampton/Schroeder to disapprove Ordinance Amendment 27, 2005-2006, Amending Chapter 10 of the Dane County Code of Ordinances, Permitted Uses in the C-1 and C-2 Commercial Districts. **MOTION CARRIED 3-0.**
 2. **MOTION** by Hampton to disapprove Ordinance Amendment 26, 2005-2006, Amending Chapter 10 of the Dane County Code of Ordinances, Amending Chapter 10 of the Dane County Code of Ordinances, Regarding TDR Zoning Districts. The motion died due to lack of second. **MOTION** by Anders/Schroeder to approve Ordinance Amendment 27, 2005-2006. **MOTION CARRIED 2-1** (Hampton opposed).
 3. No action taken on Ordinance Amendment 23, 2005-2006, Amending Chapter 34 of the Dane County Code of Ordinances, Controlled Blasting Site Areas.
- XV. Board Reports: Hampton reported that vacation of outlots 2 and 6 on Baxter Road was approved in a court hearing on February 6, 2006. He asked about laminating of meeting room maps. Consensus was to get a new copy of map 1-047.001 of the Landfill, and have it and the Madison ETJ Map laminated.
- XVI. Committee Reports:
- G. Emergency Government: Schroeder reported that the last meeting was at Cottage Grove Elementary School, and he was impressed by how quickly they are able to vacate the building for fire alarms.
- XVII. **MOTION** by Schroeder/Anders to adjourn. **MOTION CARRIED 3-0.** The meeting was adjourned at 8:54 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING FOR BLASTING PERMIT FOR GASTON QUARRY
FEBRUARY 20, 2006

- I. Chairman Kris Hampton called the public hearing to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder and Steve Anders. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. Notice of the hearing was posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush, and mailed to neighboring landowners (list attached, available in the Clerk's office).
- II. Dennis Richardson and Dale Huston of R.G. Huston, Inc. presented a map showing the intended area of blasting in the north-east corner of the quarry. Another map showed a cross-section of the terraces that the blasting will create for reclamation. A berm will be created around the top of the quarry, and R.G. Huston will hold a future meeting with neighboring landowners to determine their desires for plantings on the berms.
- III. Blaster Joe Dolphin stated that blasting would be much the same as done there previously, with similar sized shots occurring twice per day. The entire process will take approximately 2-3 weeks, weather permitting.
- IV. There were no questions from the public
- V. **MOTION** by Schroeder/Anders to close the public hearing. **MOTION CARRIED 3-0.**

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
SPECIAL BOARD MEETING
FEBRUARY 28, 2006

- I. Chairman Hampton called the meeting to order at 6:15 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders, David Morrow and Mike Klinger. Also present were Clerk Kim Banigan, Attorney Greg Murray, James and Nola Skaar, Ellery Jenson and Eric Sandsness. It was determined that a quorum was present. As this is an emergency meeting, notice was posted at 3:30 P.M. at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Murray presented the Development Agreement for James N. and Nola J. Skaar Certified Survey Map in the Town of Cottage Grove, Dane County, Wisconsin (available in the Clerk's office). Murray hand-changed two minor amendments as a result of the discussion, which the Clerk later initialed.
- III. **MOTION** by Anders/Morrow to approve the agreement as amended. **MOTION CARRIED 5-0.**
- IV. **MOTION** by Anders/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 6:34 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 6, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith, as well as those on the sign-in sheet (available in the Clerk's office). It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Schroeder/Klinger to approve the minutes of the February 28, 2006 Special Town Board Meeting as presented. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Schroeder/Anders to approve the minutes of the Public Hearing on February 20, 2006 as presented. **MOTION CARRIED 3-1** (Klinger abstained).
 - C. **MOTION** by Schroeder/Anders to approve the minutes of the closed session on February 20, 2006, with corrections to the item numbers and the motion to reconvene to open session should be made by Schroeder/Anders. **MOTION CARRIED 3-1** (Klinger abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12766 through #12806. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,191,428.62. **MOTION CARRIED 4-0.**
- IV. Public Concerns:
 - A. None, but see XI. below
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported that February monitoring results showed zero percent methane from both gas probes 8 and 9. He further reported that the DNR has sent notification that future gas monitoring data need only be reported on a semi-annual basis.

Dave Morrow arrived at 7:17 P.M.

- VII. Plan Commission Recommendations
 - A. Safeguard Storage of WI, LLC (Michael Niebuhr, owner) – 3164 Luds Lane: Mr. Niebuhr presented diagrams showing placement of current and proposed buildings. Plan Commission approval included notification of Kyle Mathews for tonight's meeting, and Mr. Mathews was present. **MOTION** by Klinger/Hampton to accept the Plan Commission's recommendations as follows:
 1. Modify conditional zoning: Strike #11, #12 Phase II can begin no sooner than 2006, per plan drawing for 3 buildings, #13 Phase III can begin no sooner than 2008 with one building to include resident caretaker office/residence per 10.14(2)(i) county zoning.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 6, 2006

2. Allowance for caretaker in 2008, Phase III, septic system to holding tank, shared well with current residence.

MOTION CARRIED 5-0.

- VIII. Discuss Future of Snowmobile Trail on Baxter Road: Several representatives of the Cottage Grove Snowmobile Club were present, as well as some Baxter Road residents (see sign-in sheet, available at the Clerk's office). Hampton stated that due to the lack of adherence to the road route on Baxter Road after the recent snowfall, it was unlikely that the Board would approve a snowmobile route there next year. Photos taken by Terri Russell, 2037 DiPiazza Drive, were shown to club members.

Mike Northouse, 3882 Laudon Road, stated that he has spoken with Ron Dorhorst, and expects to resolve communication problems from the past to allow for a trail on his property next year.

Darren Marsh of the Dane County Parks Department expressed appreciation to the Town Board for its efforts in working out a trail for this year, and encouraged the Board to use the County's service to assist with future mediation between trails and private property. He stated that funds are available for remediation of damage done by snowmobiles. He took the photos with him, will return when he is finished.

Terry Russell, 3027 DiPiazza Drive, described an altercation he had with snowmobilers on his property, and asked if the funds could be used to replace his broken glasses, damaged bushes and culvert. Terri Russell asked what could be done next year, because she feared that even without a marked trail, snowmobiles will travel on Baxter Road.

Hampton suggested that County snowmobile enforcers be called in next year if problems continue on Baxter Road, and that the Snowmobile Club walk Baxter Road in the spring to survey damage, and replace any plants destroyed by snowmobiles.

Randy Schlupp stated that residents felt restricted in outdoor activities due to the snowmobile traffic, especially since the majority of snowmobilers do not follow the rules. He described an incident on the bridge over the interstate in which he nearly hit an oncoming snowmobile, both due to limited visibility and excessive speed of the snowmobile. He also presented the Board with a letter from Ray Palmer, 2054 DiPiazza Drive, who could not be present at the meeting.

Sam Landes, Associate Director of the Association of Wisconsin Snowmobile Clubs, apologized for the problems that occurred this year, and stated that the Club is working hard to find an alternate route for next year.

- IX. Discuss/Consider/Approve rental proposal for former town garage, 4091 County Road N: Two proposals were discussed:
- A. Viney Parts and Service, Inc., Dennis Viney, owner: Proposal (available at the Clerk's Office) was for a one year lease from May 2006 thru May 2007 at \$1200/month, and included improvements to be made to the building by the Town.
 - B. Tjugum & Sons Lawn & Landscape Inc., 1818 Thackeray Road, Madison: Proposal (available in the Clerk's Office) was for a one year lease at \$1200/month, with the

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 6, 2006

possibility of a three year lease to follow. No improvements to the building were requested.

MOTION by Morrow/Anders to request Tjugum & Sons Lawn and Landscape Inc. to send a representative to the March 20th Town Board Meeting, and to draft a new lease for one year at \$1200/month and an alternative three year lease starting at \$1200/month with a 4% increase each year. Each alternative to include a \$1200 security deposit, and wording to prohibit outside equipment parking overnight. **MOTION CARRIED 5-0.**

Should Tjugum & Son's no longer be interested, Viney will be notified. March 20th agenda to include Discuss/Consider painting of exterior of former garage.

- X. Discuss/Consider/Approve Resolution 2006-02: **MOTION** by Hampton/Klinger to approve Resolution 2006-02 Supporting Agreements Between the Town of Cottage Grove and the Wisconsin State Elections Board Regarding use of the Statewide Voter Registration System. **MOTION CARRIED 5-0.**
- XI. Discuss/Consider/Approve grab bars in lower level restrooms and replacement kitchen fan for Flynn Hall. **MOTION** by Klinger/Schroeder to table until March 20th meeting so need can be investigated. **MOTION CARRIED 5-0.**
- XII. Kyle Mathews, 3646 County AB stated his concern after seeing the City of Madison's annexation plans in the newspaper, and asked what the Town is doing to fight this. Hampton described the boundary agreement currently being negotiated between the Town and Village of Cottage Grove and the City of Madison.

Mathews asked about putting a residence on a 40 acre parcel he owns on Vilas Hope Road, and a discussion regarding the driveway ensued.

- XIII. Clerk's Report:
 - A. The Clerk presented a survey for Farmland Preservation, and Hampton asked if the Board wanted to complete it together or direct the Chairman and the Clerk to complete it. Consensus was for the Chairman and Clerk to complete it.
 - B. The Clerk stated that Municipal Storm Water Permit Applications have been received. The Board directed Smith to check with Nahn and Associated to find out the status of the application for exemption from the permit.
- XIV. Board Reports: Hampton gave the Board copies of an invitation to a meeting to be held on Wednesday, March 15th at 7:00 P.M. at Monona Grove High School to provide information to the Town and Village of Cottage Grove and the City of Monona regarding their upcoming referendum.
- XV. Committee Reports: None.
- XVI. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:02 P.M.

Kim Banigan
Clerk

RESOLUTION 2006-02

**RESOLUTION SUPPORTING AGREEMENTS BETWEEN
THE TOWN OF COTTAGE GROVE AND THE WISCONSIN STATE ELECTIONS BOARD
REGARDING USE OF THE STATEWIDE VOTER REGISTRATION SYSTEM.**

WHEREAS, Congress passed the Help America Vote Act of 2002 (HAVA) to create a more uniform voter registration and voting system in the United States; and

WHEREAS, the Wisconsin State Elections Board (SEB) is charged with implementing a Statewide Voter Registration System (SVRS) that complies with HAVA; and

WHEREAS, local units of government understand their obligations and commitments as mandated by HAVA and state statutes to administer, implement and maintain local voter registration information within a centralized SVRS; and

THEREFORE, BE IT RESOLVED, the Town of Cottage Grove directs the Town Clerk to enter agreements stating the municipality's intention to follow the technology, security, maintenance, support, and process guidelines developed by the State Elections Board relating to use of the Statewide Voter Registration System (SVRS).

FURTHER, BE IT RESOLVED, that a copy of these Resolutions and Memorandums of Understanding be sent to the State Elections Board.

Adopted this 6th day of March, 2006 by a vote of 5 for and 0 against.

(Signed copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 20, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Steve Anders and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Schroeder/Anders to approve the minutes of the regular town board meeting on March 6, 2006 as printed. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Schroeder/Klinger to approve payment of bills corresponding to checks #12807 through #12839. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,164,351.05. **MOTION CARRIED 4-0.**
 - C. The Treasurer reported that all contingency funds have now been moved to the Bank of Sun Prairie.
 - D. The Treasurer requested that all first quarter per diems be turned in by March 31st.
 - E. The Treasurer stated that mileage reimbursement is 44.5 cents/mile as of January 1, 2006.
- IV. Public Concerns: J.W. Sims asked what the Town and Village are doing to prevent the City of Madison from expanding into the Town. Hampton stated that the first boundary agreement meeting has been held between the City, the Village and the Town, and attempts are being made to schedule a second meeting.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Nothing to report.
- VII. National Library Week Proclamation: Penny Andrews presented the proclamation, which Chairman Hampton read aloud. **MOTION** by Anders/Klinger to support the proclamation. **MOTION CARRIED 4-0.**
- VIII. Dedication of Skarstinden Road to the Town. **MOTION** by Anders/Schroeder to approve the area dedicated to the public as shown on office map 15486. **MOTION CARRIED 4-0.**
- IX. Approve CSM's for sale of Outlots 2 and 6 on Baxter Road. **MOTION** by Anders/Schroeder to approve both CSM's, one incorporating Outlot 2 into the existing parcel belonging to Don and Leslie Peckham at 4503 Baxter Road, and the other incorporating Outlot 6 into the existing parcel belonging to Gary and Barbara Powers at 2128 Southern Court, with the following conditions: 1) The Town's owner certificate on page two be removed, 2) notation for the easements as indicated on the Declaration of Easements and Use Restrictions (available in the Clerk's office) be recorded on the face of the CSM's. **MOTION CARRIED 4-0.**
- X. Consider Lease for Former Town Garage:
 - A. Tjugum and Sons have withdrawn their interest in leasing the building.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 20, 2006

- B. J.W. Sims indicated his interest in a two year lease with an option to purchase. He asked if the Town would consider paying for studding of walls at an approximate cost of \$450.
- C. Dennis Viney, Viney Parts and Service, Inc. expressed his continuing interest in a five year lease, indicating he would be willing to perform any alterations he needed, asking the Board to pay for a door between office and shop. Upon hearing of Viney's interest, Sims withdrew his request to lease.
- D. **MOTION** by Schroeder/Anders to enter into a lease with Viney Parts and Service, Inc. beginning on May 1, 2006 and ending on May 31, 2009. The lease to be structured much like Badger Pro's current lease, with rent beginning at \$1200 from May 1, 2006 to May 31, 2007, then increasing by 4% each year, and a security deposit of \$1200. The Town will pay up to \$300 for a door. The Town will fill the fuel tank at the start of the lease, and Viney must leave it full when he departs. Viney may take down the block wall to the middle beam, but the wall must remain from the beam to the west. Viney may add window security and paint the interior at his own expense. **MOTION CARRIED 4-0.**

- XI. Consider Painting of former Town Garage: **MOTION** by Klinger/Anders to accept bid from Fritz Painting to paint the exterior of the former town garage, at a cost not to exceed \$1860. **MOTION CARRIED 4-0.**
- XII. Public Works Mutual Aid Agreement: Smith presented an overview of the agreement, stating that several villages have entered into it, primarily in response to the Stoughton tornado last year. Now they are asking Town's to join as well. The agreement would not obligate the Town to provide mutual aid just because it was requested, but does allow the possibility of reimbursement of costs of providing aid should FEMA funds become available. **MOTION** by Anders/Schroeder to table until the April 3rd meeting. **MOTION CARRIED 4-0.**
- XIII. Discuss New EMS District Agreement: Hampton pointed out several questions he has about the draft agreement, including:
 - A. In 2.01 A., the number of members: 3 from each municipality + Medical Director = 7, not 6.
 - B. In 2.02 C., 1., are quarterly reports necessary in addition to monthly fiscal reports?

Anders left at 8:15 for an EMS page.

- C. Should 2.03 A., 2., value of contracts the commission can enter into be equal to the maximum amount of \$1000 as defined as an operating expense in 4.01, A.?
- D. In 4.02, B., what is a majority of the municipalities?
- E. The soundness of Sections V, VI and VII was questioned.

MOTION by Schroeder/Anders to have the Town Attorney review the agreement and have comments ready for the April 3rd Town Board Meeting. **MOTION CARRIED 3-0.**

- XIV. Items for Annual Meeting Agenda:

Anders returned at 8:30 P.M.

- A. Klinger would like to consider wages and per diems for elected officials.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MARCH 20, 2006

- B. Schroeder would like to consider changing the Treasurer position from elected to appointed.
- XV. Set date for Road Inspections: Road inspections will be on Friday, April 21st, beginning at 1:00 P.M.
- XVI. Clerk's Report:
 - A. The clerk provided a letter from the City of Madison advising that the City has requested an amendment to the Central Urban Service Area to include 368.8 acres in the Sprecher Neighborhood, part of which is adjacent to the Town of Cottage Grove.
- XVII. Board Reports:
 - A. Smith stated that when ordinance changes are made, he would like to add more specific language to the mailbox ordinance. He also reported that the new loader should arrive next week, and he asked the board to think about purchasing a grapple bucket for it at a cost of around \$3750.
 - B. Schroeder requested that a reconsideration of the Landfill agreement be included in open session at the April 3rd regular board meeting.
- XVIII. Committee Reports:
 - A. Emergency Government: Schroeder stated that the next meeting will be at the Police Department.
 - B. LEC: Anders stated that the Law Enforcement Committee accepted the resignation of Sergeant Chris Bowker effective on March 14th.
 - C. **MOTION** by Klinger/Schroeder to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:58 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 3, 2006

- I. Chairman Hampton called the meeting to order at 7:05 P.M. at the Town Hall. Other board members present were Virgil Schroeder, Dave Morrow and Mike Klinger. Also present were Clerk Kim Banigan, and Treasurer Debbie Simonson. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Schroeder/Morrow to approve the minutes of the regular town board meeting on March 20, 2006 as printed. **MOTION CARRIED 3-0-1.** Morrow abstained.
- III. Finance Report and Approval of Bills:
- A. **MOTION** by Schroeder/Morrow to approve payment of bills corresponding to checks #12840 through #12876. **MOTION CARRIED 4-0.**
- B. The Treasurer noted that she had opened a new money market account at Wisconsin Community Bank, represented by account number 11020 on the Balance Sheet, and she will transfer funds between there and checking as needed to maximize interest earnings.
- C. **MOTION** by Schroeder/Klinger to approve the net worth at \$1,240,573.99. **MOTION CARRIED 4-0.**
- D. **MOTION** by Morrow/Klinger to approve payment of first quarter per diems as presented. **MOTION CARRIED 4-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported that the March test results show zero percent methane for both gas probes 8 and 9, which makes 6 months in a row of zero percent detects.
- VII. Plan Commission Recommendations:
- A. Roger Korfmacher – Femrite Drive – Section 29 – Zone Change – LC-1 to A1-EX on east side of Femrite Drive – A-1(8) to LC-1 on west side of Femrite Drive. Moving LC-1 for small business to west side of road to comply with Madison Comprehensive Plan.
- MOTION** by Morrow/Klinger to approve the Plan Commission recommendation to “Spot Zone” the LC-1 for now on the west side of Femrite at not more than 5.72 acres, with the remaining 16.01 acres zoned A-2(8). The east side of Femrite will go back to A1-EX. **MOTION CARRIED 4-0.**
- VIII. Phil & Jeanne Anderson – 2650 Bluebird Lane – Variance for Garage: Gary Paddock appeared representing the Andersons as they were not available. Mr. Paddock was not sure that the garage would require a variance. The Board advised Paddock that a survey is needed if the garage will require a variance, and directed Mr. Paddock to call to be placed on the agenda once the survey is complete.
- IX. Consider Public Works Mutual Aid Agreement: Hampton reported that he attended a meeting last Wednesday, and it appeared that the towns of Christiana and Rutland were going to enter into the agreement. **MOTION** by Hampton/Klinger to hold discussion for the next meeting when Jeff Smith will be back. **MOTION CARRIED 4-0.**

Attorney Connie Anderson arrived at 7:35.

- X. Discuss draft of New EMS District Agreement : Anderson presented a document (attached along with the draft agreement as Appendix A, available in the Clerk’s Office) listing her concerns regarding the draft agreement, and noted areas to change. Major areas of discussion included:
- A. In 2.01:
1. State Statute sets standards for the Medical Director, agreement should reference them.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 3, 2006

2. The Commission should have approval/removal authority over Medical Director by a super-majority of at least 4 votes.
- B. In 2.03:
 1. Commission can enter into contracts as long as they are budgeted.
 2. Commission should have hire/fire/discipline authority over EMS Chief and Office Manager.
- C. In 3.01: Regular meetings – where and when should be identified in agreement.
- D. Section IV:
 1. Expenses should be categorized as “Capital” if they have an expected lifetime, otherwise categorized as “Operational”.
 2. Depreciation should be straight line based on the number of years of life expectancy. When a capital item is purchased, minutes should record life expectancy and the percentages of the cost contributed by each municipality.
 3. Non-budgeted capital expenditures must be approved by the Town and Village boards separately.
- E. Sections VI. Withdrawal From District and VII. Termination of District need to be reworked entirely.
- F. Section VII: The board prefers Mediation rather than Arbitration.
- G. 9.01 Term cannot be open ended – the board suggested 10 years.

The Clerk will attempt to get an electronic version of the draft agreement so that Anderson can track changes in the actual document for future consideration.

- XI. Reconsider Landfill Agreement with Village of Cottage Grove: Anderson stated that the attorney for the Village’s insurance Company, Joe Wirth, has the communication he needs from the Village’s attorney to proceed with the agreement. Consensus was to put off reconsideration until the April 17th meeting.
- XII. Finalize Agenda for Annual Meeting: Nothing to add.
- XIII. Clerk’s Report: None.
- XIV. Board Reports:
 - A. Hampton reported that he received a letter from the DNR stating that the Town is not exempt from needing a Municipal Stormwater Permit. The Wisconsin Town’s Association is looking for 10 towns to apply for a grant, and Hampton contacted them to indicate our interest.
 - B. Hampton stated there will be an Emergency Government and Livestock Facility Siting seminar at Capital City Harley Davidson on May 9th. The Clerk was directed to sign Morrow up for the seminar.
- XV. Committee Reports:
 - A. Plan Commission: Gary Peterson will be back in May for plan revisions.
- XVI. **MOTION** by Schroeder/Morrow to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:15 P.M.

Kim Banigan
Clerk

Approved April 17, 2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 17, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. Attorney Connie Anderson arrived at 7:35 P.M. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s): **MOTION** by Morrow/Anders to approve the minutes of the regular town board meeting on April 3, 2006 as printed. **MOTION CARRIED 4-0-1.** Kessenich abstained.
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Morrow to approve payment of bills corresponding to checks #12877 through #12941, holding check #12913 until the new loader is working satisfactorily. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,046,077.60. **MOTION CARRIED 5-0.**
 - C. The Treasurer presented a letter from the Bank of Sun Prairie regarding Custodial Risk of Deposits (attached as Appendix A, available in the Clerk's office).
- IV. Public Concerns: Jim Northrup stated his disappointment that the Village has doubled recreation program fees for Town residents. Anders explained that the Village informed the Town Board in January that they were considering raising their non-resident recreation fees this year since Village residents pay for the program both through user fees and taxes. Hampton stated that the Town Board was not willing to tax to fund the Village recreation programs because of all of the different school districts in the Township – those outside the Monona Grove district may have no interest in participating in the Village's programs. It was felt better left to a user fee for those who do wish to participate. The clerk pointed out that when the Village came with this information in January, the Town had already finalized the 2006 budget. Hampton will include a discussion of Village Recreation fees on the May 4th Joint Town/Village Boards agenda.
- V. Road Right of Way Permits: **MOTION** by Anders/Morrow to permit Alliant/Intercon Construction to plow parallel to the roadway to install underground electric service for Steve Johnson's new residence on Deerfield Road. **MOTION CARRIED 5-0.**
- VI. Landfill Update: None.
- VII. 2005 Audit Review – John Rader – Virchow/Krause & Company: Mr. Rader stepped through the Financial Statements, beginning by pointing out that the Town maintains a “clean opinion”, which is the highest rating available. The Statement of Net Assets includes new additions of road right of way as part of the land value and Investment in EMS joint venture.

The ratio of undesignated funds to next year's budget is healthy at 15%. Revenues and expenditures show of loss of \$2793, which he considered essential a break-even.

Notes included a custodial credit risk for deposits, which he explained was because the audit only includes the FDIC \$100,000 insurance, not the additional \$400,000 of coverage by the

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 17, 2006

State of Wisconsin because they feel the state program is under-funded. The Town should indicate if they want next year's report to include the State's coverage. Rader stated that the Town does need a Financial Policy.

The Report on Internal Control included the usual items of concern regarding segregation of duties with a small staff. Two new controls were suggested:

- 1) At each meeting, the Clerk will verify that unused checks are still in possession.
- 2) Building Permits will be have pre-printed numbers.

Finally, Rader stated that the audit went very well, largely due to all of Simonson's efforts.

- VIII. Budget Amendment Resolution 2006-01: Hampton read the resolution (available in the Clerk's Office), and Simonson explained its purpose to move lease payments for the ladder truck from Fire Department capital outlay to debt service. **MOTION** by Klinger/Anders to approve the resolution as read. **MOTION CARRIED 5-0.**
- IX. CSM – Kathleen Bollig – 3333 Field View Lane: **MOTION** by Anders/Morrow to approve the CSM. **MOTION CARRIED 5-0.**
- X. Michael D. Hinrichs – 4472 American Way – Seeking second driveway for back yard access off Southern Court: Mrs. Hinrichs appeared with a diagram showing placement of the driveway. Smith stated that the placement was satisfactory, and that a small culvert would be needed. **MOTION** by Anders/Klinger to approve the second driveway under the condition that Hinrichs obtain a driveway permit prior to construction and install a culvert as directed by Smith. **MOTION CARRIED 5-0.**
- XI. John Leonhardt – 3479 American Way – Seeking second driveway: Mr. Leonhardt presented a diagram showing placement of the driveway. Another old second driveway would be abandoned and landscaped in favor of the new driveway. Smith stated the location of the new driveway was satisfactory, and a culvert would be required. **MOTION** by Hampton/Klinger to move the second driveway to the front of the barn at 3479 Natvig Road, with the old second driveway to be abandoned and landscaped. **MOTION CARRIED 5-0.**
- XII. Accept or Reject Bids on sale of loader: Hampton read the bids:
- | | |
|-------------------------|--------|
| DMK Woods and Millwork: | \$6300 |
| Charles Devault: | \$5701 |
- MOTION** by Anders/Klinger to accept the bid of \$6300 from DMK Woods and Millwork. **MOTION CARRIED 5-0.**
- XIII. Consider increasing cemetery lot fees: Hampton stated that the Cemetery Association had raised their lot fees at their recent annual meeting, and Hampton felt the Town should raise fees accordingly. **MOTION** by Klinger/Kessenich to raise the resident lot fee to \$400, and the non-resident lot fee to \$800. **MOTION CARRIED 5-0.**
- XIV. Action on Municipal Storm Water Permit requirement: Anderson summarized the opinion of Attorney Paul Kent that while contesting the permit requirement was not frivolous, it was a long shot, and would cost \$2000 - \$5000. Even if the requirement was successfully contested

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
APRIL 17, 2006

now, the Town would eventually fit the phase II classification and require the permit.

MOTION by Hampton/Klinger to drop the contesting of the Phase II designation, pursue the grant application, and move forward toward compliance with the permit requirement. **MOTION CARRIED 4-1.** Anders opposed.

- XV. Review Natvig Landfill Agreement: Anderson presented the agreement as modified by the Village (Appendix B, available in the Clerk's office). **MOTION** by Anders/Klinger to approve the April 17, 2006 version of the Agreement Between the Town and Village of Cottage Grove regarding the Natvig Landfill, with the following change in section V.: Removal of 3644 Maxwell Road, the insertion of 3670 and 3673 Graham Paige Road, and removal of "any other properties across Natvig Road whose addresses are not specifically identified in this agreement and, further, including presently vacant or undeveloped lots." **MOTION CARRIED 5-0.**
- XVI. Clerk's Report: None.
- XVII. Board Reports:
- A. Hampton asked Anderson to report on the April 12th meeting with the Village and the City of Madison regarding a boundary agreement. Anderson stated that there had been agreement on a separation area in the Town between the City and the Village, as well as on three residential areas to be designated as TDR receiving areas, although their borders had not been defined. The City had a map of splits in the Town that had been provided by Dane County. The Village seems interested in participating in a TDR program. Hampton will include an update on the boundary agreement negotiation on the May 4th Joint Town/Village Boards meeting agenda.
 - B. Hampton stated that ATC offered to meet with the Board. Consensus was to invite them.
 - C. Hampton reported that on April 26th, the Dane County Town's Association is having a meeting on Economic Development. Kessenich plans to attend.
 - D. Hampton reported that wells will be abandoned at 1966 Circle High and 4242 Sunset Ridge.
- XVIII. Committee Reports: None.
- XIX. **MOTION** by Klinger/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:29 P.M.

Kim Banigan
Clerk

Approved May 1, 2006

TOWN OF COTTAGE GROVE
2006 ROAD INSPECTION
APRIL 21, 2006

- I. The meeting was called to order at 1:00 P.M. by Chairman Kris Hampton. Other board members present were Steve Anders and Karen Kessenich. Also present was Highway Superintendent Jeff Smith.
- II. Kessenich drove those present on inspection of the roads (list attached – available in the Clerk’s office).
- III. Smith was directed to solicit for bids to be opened on Monday, May 8, 2006 at 12:30 P.M.
- IV. **MOTION** by Anders/Kessenich to adjourn. **MOTION CARRIED 3-0.** The meeting was adjourned at 3:00 P.M.

Submitted by Kris Hampton

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 1, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. It was determined that a quorum was present and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Morrow/Klinger to approve the minutes of the regular town board meeting on April 17, 2006 as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Hampton/Anders to approve the minutes of the road inspection on April 21, 2006 as printed. **MOTION CARRIED 3-0-2** (Morrow and Klinger abstained).
- III. Finance Report and Approval of Bills:
 - A. Kessenich asked if it would be possible to receive the financial report before the night of the meeting. The Treasurer responded that she normally processes it over the weekend, so as to include payment of any bills that arrive in Friday's mail. She could put it in Kessenich's basket at the Town office when it is complete. **MOTION** by Morrow/Kessenich to approve payment of bills corresponding to checks #12942 through #12971, and also releasing check #12913, which was held at the last meeting. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,025,291.09. **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported that April test results show zero percent methane for both gas probes 8 and 9.
- VII. Plan Commission Recommendations:

(Anders left the room)

- A. Cheryl A. Nelson – 3023 County Road BB – Zone Change – A1-EX to A-2(1) with CUP for 1 acre – intended land use for retail store – resale shop. Kessenich asked if Nelson intended to hold any auctions or outside events that would cause parking problems, Nelson's response was that she would confine sales to the building, and would have at least 8 parking stalls. **MOTION** by Morrow/Kessenich to accept the Plan Commission recommendation to rezone 1+ acres (the entire parcel) from A1-EX to A-2(1) with a CUP in accordance with Dane County Ordinance Chapter 10.126(3)(m), limited to the building and parking stalls north of the building to be devoted to the business, with no manufacturing or assembly of production. Hours limited to 10:00 AM to 6:00 PM, Monday through Friday and 9:00 AM to 2:00 PM on Saturday. Sign limited by Dane County sign ordinance. **MOTION CARRIED 4-0.**

(Anders returned)

- B. Woodward Knox – 1737 S. Jargo Road – Zone Change – RH-1 to A-2(2) for 3.0 acres with CUP. Intended land use to provide zoning compliance for existing buildings (50% of surface area) and to allow existing buildings to be used for seasonal rental storage. **MOTION** by Morrow/Anders to approve the Plan Commission recommendation to rezone 3 acres from RH-1 to A-2(2), with a CUP for seasonal storage per Dane County Ordinance Chapter 10.126(3)(r), and with no additional residential development. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
MAY 1, 2006

- VIII. Discuss/Consider/Approve Public Works Mutual Aid Agreement. Discussion that entering into the agreement does not obligate the Town to provide mutual aid, but it might allow for FEMA reimbursement for costs incurred when the Town does choose to provide aid. **MOTION** by Anders/Klinger to enter into the agreement. **MOTION CARRIED 5-0.**
- IX. Approve 2006-2007 Committee Appointments. The Board reviewed the committee appointments as suggested by the Chairman. Kessenich asked how the committees were composed, and was directed to the Town Code of Ordinances. She asked if composition of the committees could be included on the web page, and the clerk responded that she would do that. **MOTION** by Morrow/Anders to approve the committee appointments as presented. **MOTION CARRIED 4-1** (Kessenich opposed).
- X. Discuss fees necessary to rezone Outlot 6 on Baxter Road: Hampton stated that Outlot 6 is zoned A-1EX, and must be rezoned as residential in order to be incorporated into the existing lot of Gary and Barbara Powers, who purchased it. Town Board minutes of August 15, 2005 state that the Town will waive any rezone fees, and petition the County to waive their fees on the buyer's behalf. Hampton contacted Dane County, but has not received the final word as to whether the fees will be waived. Consensus was for the Clerk to notify the Powers' of the County's answer, and if fees are not waived, they will be the Powers' responsibility. The next Town Board meeting will include a public hearing and Town Board action on the rezone of Outlot 6.
- XI. Clerk's Report: None.
- XII. Board Reports:
- A. Hampton reported that the first Senior Transportation run will occur on May 3rd, taking Town of Cottage Grove and Deerfield residents to the Piggly Wiggly.
 - B. Kessenich reported on the Town's Association meeting on Economic Development, stating that it was mostly focused on towns with a Town Center.
 - C. Hampton asked who wanted to attend the DCTA annual meeting at the Middleton Town Hall on May 10th. Hampton and Anders to attend, possibly also Morrow.
 - D. Hampton reported that a forum on Governing Together – Shaping a Capital Region will be held at the Alliant Energy Center on May 16th.
 - E. Hampton asked if there was any interest in a Property Maintenance ordinance. Discussion revealed other ordinance changes to consider, including clarification of enforcement of abandoned cars and the driveway ordinance, regulation of mailbox installation, and a possible event ordinance. A meeting of the Ordinance Committee was scheduled for Tuesday May 30, 2006.
- XIII. Committee Reports:
- A. Klinger reported that the reason for multiple cell phone vendors for the Fire Department is to provide coverage in all areas of the Town. Where one carrier does not work, the other usually does. The clerk suggested he check into state contracted rates from cell phone vendors.
- XIV. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:35 P.M.

Kim Banigan
Clerk

Approved 5/15/2006

TOWN OF COTTAGE GROVE
ROAD BID OPENING
MAY 8, 2006

I. The meeting was called to order by Chairman Hampton at 12:30 P.M. A quorum was not present. Others present were Highway Superintendent Jeff Smith and Clerk Kim Banigan. It was determined that the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way.

II. Road Bids – Open and Review:

A. Repaving Bids:

1. Wolf Paving

Estimated Tons	2429
Cost/Ton	\$41.79
Tack Coat	CSS-1 Emulsion, .05 gal./sq. yd.
Type of Gravel	Limestone
Type of Liquid Asphalt	Type E-1
Total cost of all repaving projects	\$115,619.91
Milling on Hope Road	\$ 14,112.00

2. B.R. Amon & Sons

Estimated Tons	2222
Cost/Ton	\$39.10
Tack Coat	MS-1, .05 gal./sq. yd.
Type of Gravel	Sand & Gravel
Type of Liquid Asphalt	64-22
Total cost of all repaving projects	\$101,959.16
Milling on Hope Road	\$ 15,078.96 - credit of \$2/T for any millings hauled off of job.

3. Payne & Dolan, Inc.

Estimated Tons	2210
Cost/Ton	Varies - Average of \$37.50
Tack Coat	SS 1H
Type of Gravel	Grade #3 Commercial Material
Type of Liquid Asphalt	PG 58-28 or 64-22
Total cost of all repaving projects	\$92,466.80
Milling on Hope Road	\$ 9,600.00

4. Bartelt Enterprises, Inc..

Estimated Tons	23.25
Cost/Ton	Varies - 43.65 – 64.17
Tack Coat	bituminous - .05 gal./sq. yd.
Type of Gravel	Unspecified
Type of Liquid Asphalt	PG 64-22
Total cost of all repaving projects	\$109,596.40
Milling on Hope Road	\$ 12,756
(Provided by K Construction)	

TOWN OF COTTAGE GROVE
ROAD BID OPENING
MAY 8, 2006

B. Seal Coating Bids:

1. Scott Construction, Inc. – Portage Ash	
Oil Type	EM-8 Emulsion
Oil/Gallons	20,475
Oil/20 ft. mile	4,200
Stone/Tons	526
Stone/20 ft. mile	120 Tons
Cost/20 ft. mile	\$9,375.00
Pickup Broom Cost	\$110.00/hour
Total cost of all sealcoating projects	\$46,621.88

III. Hampton stated that the bids would be accepted or rejected at the Town Board meeting on Monday, May 15, 2006, beginning at 7:00 P.M.

IV. The meeting was adjourned at 12:37 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 15, 2006

PUBLIC HEARING – REZONE OF OUTLOT 6 ON BAXTER ROAD FROM A1-EX TO R2

- I. Chairman Hampton called the public hearing to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith, Gary and Barbara Powers. The public hearing had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Hampton asked if there were any questions from the public regarding the zone change of Outlot 6 from A1-EX to R2. No one spoke up.
- III. **MOTION** by Anders/Morrow to close the public hearing. **MOTION CARRIED 5-0.** The public hearing was closed at 7:01 P.M.

REGULAR BOARD MEETING

- I. Chairman Hampton called the meeting to order at 7:01 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Kessenich to approve the minutes of the regular town board meeting on May 1, 2006 as printed. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Klinger to approve the payment of bills corresponding to checks #12972 through #13019. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$1,000,342.99. **MOTION CARRIED 5-0.**
 - C. The Treasurer pointed out a new section on the financial report that requires the clerk to verify the next available check number. This was done as an internal control measure as recommended by Virchow Krause & Company.
 - D. Hampton asked Smith to keep track of how many times and how long it takes to mow Liberty Prairie Cemetery this year.
- IV. Public Concerns: Lisa Hopwood-Newton, 2979 County BB, asked for better enforcement of traffic laws near her house, especially during the times of 7:30 – 7:50 A.M. and 5:00 – 6:00 P.M. She stated that vehicles are passing the school bus when it has its lights flashing, and are passing on the right when cars are turning onto Vilas road. She has lost her mailbox several times, and is worried for the safety of her children. Hampton stated this will be brought to the Police Chief's attention at the LEC meeting on May 23rd.
- V. Road Right of Way Permits: None.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 15, 2006

- VI. Landfill Update: None.
- VII. Resolution Appointing Town Treasurer: Hampton read the resolution to appoint Deborah Simonson as Town Treasurer for a 3 year term, beginning on April 10, 2007. **MOTION** by Klinger/Anders to approve the resolution as read as Resolution 2006-06. **MOTION CARRIED 5-0.**
- VIII. Award Road Bids: Hampton summarized the bids received as recorded on the minutes of the Road Bid Opening on May 8th.
- A. Only one bid for seal coating was received from Scott Construction. **MOTION** by Anders/Klinger to accept the bid from Scott Construction to perform seal coating for \$46,621.88. **MOTION CARRIED 5-0.**
- B. Four bids for repaving were received: Wolf Paving, B.R. Amon and Sons, Payne & Dolan, Inc., and Bartelt Enterprises. Hampton stated that he and Smith recommended acceptance of the bid from Payne & Dolan, Inc. **MOTION** by Anders/Klinger to accept the bid for repaving from Payne & Dolan, Inc., at a cost of \$37.50/ton. **MOTION CARRIED 5-0.** Hampton stated that a request for bids had been published twice in the Wisconsin State Journal as required since the cost is partially funded by TRIP funds.
- IX. Review/Revise procedures for issuing of building permits: Hampton stated that he and the clerk had met with Building Inspector Tom Viken to address Virchow Krause & Company's recommendation to strengthen permit controls. Based on that meeting, he recommended providing Viken with a 3-part numbered receipt book, like the one used by the Town office. Any time Viken receives payment for a building permit, he would provide a white receipt to the customer, include the pink receipt with the payment when turned in to the town, and retain the yellow copy to turn in with his quarterly report to the Town. He would also modify his quarterly report to include the receipt number with each permit line. **MOTION** by Anders/Morrow to approve the receipt procedures as Hampton described. **MOTION CARRIED 5-0.**
- X. Consider/Approve rezone of Outlot 6 on Baxter Road – Gary and Barbara Powers – A-1EX to R-2 to allow for incorporation into the Power's adjacent lot at 2128 Southern Court to satisfy terms of sale of the outlot. **MOTION** by Hampton/Klinger to approve the rezone. **MOTION CARRIED 5-0.** Hampton informed the Powers that the Town is still waiting to hear from Dane County about whether they will waive their rezone fee in this case.
- XI. Update of Policy on the sale of burial plots at Liberty Prairie Cemetery: Hampton requested that this matter be tabled until the June 5th meeting, when Kevin Shelley can be in attendance.
- XII. Consider/Approve Resolutions of Appreciation for long-time Plan Commission Members – Steve Querin-Schultz and Kathy Christoph.
- A. Hampton read the resolution recognizing Kathy Christoph for service on the Plan Commission from June of 1986 to April of 2006. **MOTION** by Anders/Klinger to approve the resolution as read as Resolution 2006-07. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 15, 2006

- B. Hampton presented a similarly worded resolution recognizing Steve Querin-Schultz for service on the Plan Commission from July of 1985 to April of 2006. **MOTION** by Klinger/Kessenich to approve the resolution as read as Resolution 2006-08. **MOTION CARRIED 5-0.**
- XIII. Mark Kudrna was in the audience to report that the Village had approved Fire Department plans for the festival similar to last year, except that this year carnival workers will park in the south-west corner of the park instead of in the parking lot near the Lion's shelter. Anders stated that it had been confirmed that the Fire Department needs a seller's permit for the concession stand during the festival, but not for the rest of the summer during Home Talent baseball games.
- XIV. **CONSIDER MOVE INTO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties whenever competitive bargaining reasons require a closed session – OFFER TO PURCHASE LOT BEHIND FLYNN HALL. Motion** by Anders/Morrow to move into closed session. **Roll Call Vote – All Ayes.** The Board moved into closed session at 7:35 P.M.
- XV. **CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION. MOTION** by Anders/Morrow to reconvene to open session. **ROLL CALL VOTE – ALL AYES.** The Board reconvened to open session at 7:40 P.M. There was no action as a result of the closed session.
- XVI. Review Cottage Grove EMS Agreement: The board reviewed the tracked version of draft 2006-5-15 of the Cottage Grove EMS Agreement with no further revisions. Hampton will contact Attorney Connie Anderson to let the Village attorney know the Town has no further revisions, and assuming the Village has no further revisions, the agreement can be on the June 1st Joint Town/Village Boards agenda for adoption.
- XVII. Clerk's Report:
- A. Dane County Ordinances: The Dane County Board asked for reconsideration of O.A. 26, 5-06, Amending Chapter 10 of the Dane County Code of Ordinances, Regarding TDR Zoning Districts. Board consensus was to leave their recommendation as it stood (approved on February 20th, 2006).
- B. An email from EMS Chief Jess Robinson suggested sending letters thanking Dane County Executive Kathleen Falk and Dane County Hospitals for their funding of the 12-Lead program. The Board agreed that a letter should be sent.
- C. The clerk gave board members copies of a letter from Dane County Zoning describing plans to address their audit recommendations. Hampton suggested requesting under open records law a list of Town of Cottage Grove zoning permits, inspections, and certificates of compliance issued since September 1, 2005 in order to confirm his suspicions that the county has been collecting the fees but not providing the services. The Board supported making the request.
- XVIII. Board Reports:

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 15, 2006

A. Kessenich:

1. Kessenich met with Brian, who does the Village's cable communications, to get a cost for broadcasting Town meetings on cable, but they had been unable to find a transponder or transceiver box. Anders stated that the Town does not own one. Previously meetings were taped, and the tape was sent to the Village for broadcasting. When the Village wanted to charge 1/3 of the cable operator's wages to the Town for this service, it was deemed too expensive, and it would cost \$10,000 to \$12,000 for the Town to add the infrastructure to broadcast live. Since geographically very little of the Town has access to cable TV, this has not been pursued. Kessenich suggested taping the meetings and allowing residents to check out the tapes for viewing, but this did not get support from the rest of the board due to a lack of such requests from residents.
 2. Kessenich asked if the Town has a public relations committee (no), and who does the web page (the clerk).
 3. Kessenich suggested a box at the Town Hall similar to what realtors use to hold extra copies of agendas that could be picked up after hours.
 4. Kessenich reported on information she had received from George Hall of the DOA, which she had earlier reported to the board on in an email message. She felt his flowchart did an excellent job describing the boundary agreement process. She then stated she would like to better understand what boundary negotiations are currently in progress. Anders explained that a three-way boundary agreement including the Town, the Village and the City of Madison is needed due to overlapping ETJ's of the City and the Village on the west side of the Town. He went on to describe the current state of negotiations with the City and the Village, stating that it seems all parties are interested in a green space in the Town between the City and the Village. The Town is also looking for the use of TDR's from the greenspace area to infill Town subdivisions. Kessenich asked which statute the boundary agreement would fall under, suggesting s.s. 66.0307, which disallows annexations while negotiations are in progress. Anders stated that while negotiations are not that far, Madison may not be interested in using that statute. In response to Kessenich's question about consolidating the west side of the Town with the Village to maintain a Cottage Grove footprint rather than losing land to Madison, Anders stated that Town people may not like living under Village government. As an example, he sited the difficulties the ETZ Committee is having coming up with zoning for Town parcels that will allow current uses.
- B. Morrow reported on the Livestock Siting seminar he attended regarding s.s. 93.90 and ATCP 51, which establish standards for livestock facilities of more than 500 animal units. A municipality can enact ordinances regulating new livestock facilities, or the growth over 500 animal units for existing facilities, but is bound to using state standards. Morrow will continue to research the topic for further discussion at the June 5th Town Board meeting. Questions include what are the standards and who enforces them.

C. Hampton

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 15, 2006

1. The DNR has sent notice of their air management program, and Hustons have applied for all of their pits.
2. MPO Board (road planning) representation may be changing to 6 City, 3 Dane County Exec, 3 Cities/Villages, 1 Town, and 1 DOT representatives.
3. United Way sent a consolidated application for 2007-2008 funds. Kessenich is reviewing.
4. ATC is having a community leader breakfast briefing at the Sheraton on May 23rd from 7:30 to 8:30 A.M.
5. Dane County Waterbody Classification Project is having a meeting at Doubledays from 9:30 A.M. to noon on June 3rd.

XIX. Committee Reports: None.

XX. **MOTION** by Klinger/Morrow to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:06 P.M.

Kim Banigan
Clerk

Approved 6-05-2006

RESOLUTION 2006-07

**A RESOLUTION RECOGNIZING KATHY CHRISTOPH FOR
NEARLY 20 YEARS OF SERVICE ON THE
TOWN OF COTTAGE GROVE PLAN COMMISSION**

WHEREAS, **KATHY CHRISTOPH** served on the Town of Cottage Grove Plan Commission from June, 1986 to April, 2006; and

WHEREAS, **KATHY CHRISTOPH** gave of her time to serve in a capacity that required careful thought and consideration to benefit the Town of Cottage Grove; and

WHEREAS, **KATHY CHRISTOPH** significantly participated in the development of the current Smart Growth Comprehensive Plan for the Town of Cottage Grove;

NOW, THEREFORE, BE IT RESOLVED that the Cottage Grove Town Board does hereby express its sincere appreciation to **KATHY CHRISTOPH** for her years of service on the Plan Commission and commend her for the manner in which she met her responsibilities.

Adopted this 15th day of May, 2006 by a vote of 5 for and 0 against by the Cottage Grove Town Board.

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

RESOLUTION 2006-08

**A RESOLUTION RECOGNIZING STEVE QUERIN-SCHULTZ FOR
OVER 20 YEARS OF SERVICE ON THE
TOWN OF COTTAGE GROVE PLAN COMMISSION**

WHEREAS, **STEVE QUERIN-SCHULTZ** served on the Town of Cottage Grove Plan Commission from July, 1985 to April, 2006; and

WHEREAS, **STEVE QUERIN-SCHULTZ** gave of his time to serve in a capacity that required careful thought and consideration to benefit the Town of Cottage Grove; and

WHEREAS, **STEVE QUERIN-SCHULTZ** significantly participated in the development of the current Smart Growth Comprehensive Plan for the Town of Cottage Grove;

NOW, THEREFORE, BE IT RESOLVED that the Cottage Grove Town Board does hereby express its sincere appreciation to **STEVE QUERIN-SCHULTZ** for his years of service on the Plan Commission and commend him for the manner in which he met his responsibilities.

Adopted this 15th day of May, 2006 by a vote of 5 for and 0 against by the Cottage Grove Town Board.

(Signed copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
 PUBLIC HEARING – ALCOHOL LICENCES
 JUNE 5, 2006

- I. The public hearing was called to order by Chairman Hampton at 7:00 P.M. Other Board Members present were Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Attorney Connie Anderson.
- II. Chairman Hampton read the list of applicants, and the clerk stated that all fees had been paid, all paperwork was in order:

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

Debra Stueber, Agent
 4586 Baxter Road
 Cottage Grove, WI 53527

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Cigarettes	\$	5
Operator's License (4@\$25)	\$	100
Manager's License (1@\$25)	\$	25
TOTAL	\$	730

Nora's Tavern, Inc.

Timothy Kluever, Agent
 1843 HWY 12 & 18
 Deerfield, WI 53531

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Cigarettes	\$	5
Operator's License (16@\$25)	\$	400
Manager's License (1 @\$25)	\$	25
TOTAL	\$	1030

JDJ Inc. d.b.a. Crossroads Tavern

Dawn Guimond, Agent
 3562 CTH "AB"
 McFarland, WI 53558

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Cigarettes	\$	5
Operator's License (8@\$25)	\$	200
TOTAL	\$	805

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

James Bradt, Agent
 4321 Vilas Road
 Cottage Grove, WI 53527

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Cigarettes	\$	5
Operator's License (8@\$25)	\$	200
Manager's License (3@\$25)	\$	75
TOTAL	\$	880

Country Corners

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

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Cigarettes	\$	5
Operator's License (6@\$25)	\$	150
Manager's License (1@\$25)	\$	25
TOTAL	\$	780

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

James Bradt, Agent
 4226 Vilas Road
 Cottage Grove, WI 53527

Class "B" Liquor	\$	500
Class "B" Beer	\$	100
Reserve Class "B" installment	\$	1000
Interest payment	\$	50
TOTAL	\$	1650

- III. Chairman Hampton asked if there were any public comments – there were none.

Klinger left the table

- IV. **MOTION** by Anders/Kessenich to close the public hearing. **MOTION CARRIED 3-0.** The public hearing was closed at 7:08 P.M.

Kim Banigan, Clerk
 Approved 6/19/2006

TOWN OF COTTAGE GROVE
PUBLIC HEARING – NONMETALLIC MINING PERMITS
JUNE 5, 2006

I. The public hearing was called to order by Chairman Hampton at 7:15 P.M. Other Board Members present: Steve Anders, Karen Kessenich and Mike Klinger. Also present was clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Attorney Connie Anderson.

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

R.G. Huston Company, Inc.

1. Gaston Road Quarry – 2543 Gaston Road
2. Nora Road Pit – 2494 Nora Road
3. Skaar Pit – 3355 County Road N

Sun Prairie Sand and Gravel, LLC – 2272 US Highway 12 & 18

III. Hampton asked if there were any public comments – there were none.

IV. Dennis Richardson of R.G. Huston Company, Inc. stated that the Gaston Road Quarry would be closed around 2012. They are on their last round of blasting, will have 1-2 years of crushing, followed by recycling and reclamation. The Skaar pit has about 5 more years.

V. **MOTION** by Anders/Klinger to close the public hearing. **MOTION CARRIED 4-0.** The public hearing was closed at 7:17 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 5, 2006

- I. Chairman Hampton called the meeting to order at 7:18 P.M. at the Town Hall. Other board members present were Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith and Attorney Connie Anderson. Dave Morrow was absent due to illness. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
- A. **MOTION** by Klinger/Anders to approve the minutes of the public hearing and regular town board meeting on May 15, 2006. Kessenich noted 3 corrections under Board Reports in XVII:
1. Under A., 4: Kessenich did not have a meeting with George Hall, only received information from him.
 2. Under C., 1: Correct spelling of 'Hustons'.
 3. Under C., 4: Correct spelling of 'Sheraton'.
- Klinger and Anders accepted the changes as amendments to the motion. **MOTION CARRIED 4-0.**
- B. The clerk passed out minutes of the closed session on May 15, 2006. **MOTION** by Klinger/Kessenich to approve the minutes as printed, and keep them closed until the matter is resolved. **MOTION CARRIED 4-0.** The clerk collected the minutes.
- III. Finance Report and Approval of Bills:
- A. The Treasurer stated that check #13029 was issued to Fritz Barn Painting as an emergency check between meetings since the invoice was originally overlooked and was past due. She also explained that check #13308 to Clerk of Courts is for filing against a delinquent personal property taxpayer in small claims court.
- B. **MOTION** by Klinger/Anders to approve the payment of bills corresponding to checks #13020 through #13061, holding check #13042 until clarification is provided by EMS Chief Jess Robinson. **MOTION CARRIED 4-0.**
- C. **MOTION** by Anders/Klinger to approve the net worth at \$1,003,541.63. **MOTION CARRIED 4-0.**
- D. The Treasurer noted that she has not received a bill from the Village for shared billing in recent months. Hampton said Village President Dahl told him they would get it out this month.
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported that 5/19/06 test results show zero percent methane in both gas probes 8 and 9.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 5, 2006

- VII. Plan Commission Recommendations: Duane Farwell – Farwell Pools – 3818 County Highway AB – Design review of commercial building. Hampton passed around plans for the building, and stated that both the Fire Chief and Plan Commission have approved the plans. **MOTION** by Anders/Klinger to approve the plans for the 60’ x 120’ x 17’8” commercial building for Farwell Pools as shown in the plans. **MOTION CARRIED 4-0.** The plans were returned to Duane Farwell.
- VIII. CSM – Brian Korfmacher – Femrite Drive – Section 29. **MOTION** by Anders/Hampton to approve the CSM as shown on Office Map No. 050698CSM. **MOTION CARRIED 4-0.**
- IX. Chris Miller – 3186 Kinney Road – Second Driveway: Mr. Miller passed out copies of a diagram showing where he would like to put the second driveway. Smith stated he was in approval of the location, was not sure if a culvert would be required. Miller asked if he could put in a driveway smaller than typically required, Hampton answered no, the required driveway specifications are necessary to allow for emergency vehicle access. **MOTION** by Klinger/Kessenich to approve the second driveway as drawn, with Smith to determine the need for a culvert. **MOTION CARRIED 4-0.**
- X. Consider options for Galarowicz Property on Sime Road: A barn was torn down, and cannot be rebuilt on the remaining foundation since it is in the road right of way. Wayne Galarowicz asked what his options are for rebuilding the barn. Hampton stated he could either move the foundation out of the right of way or move the road. Dennis Richardson remembered hearing of a similar situation where the foundation was determined to make up more than 50% of the value of the building, so grandfathering was not lost, and the barn could be rebuilt. Galarowicz was advised to get a cement quote for an identical foundation to find out if the same situation might apply in his case.
- XI. Consider 2006-2007 Alcohol Beverage, Operator, Manager and Cigarette License Applications: Hampton asked if Bradt Farms, Inc. had paid their annual Reserve Class B installment of \$1050. The clerk verified that they had.
- A. **MOTION** by Hampton/Anders to approve 2006-2007 Class B Licenses for:
- | | |
|---|--|
| Ball of Fun, LLC d.b.a. Doubledays
Debra Stueber, Agent
4586 Baxter Road
Cottage Grove, WI 53527 | Country Corners
Patricia J. Youngs, Agent
3737 CTH “AB”
McFarland, WI 53558 |
| JDJ Inc. d.b.a. Crossroads Tavern
Dawn Guimond, Agent
3562 CTH “AB”
McFarland, WI 53558 | Nora’s Tavern, Inc.
Timothy Kluever, Agent
1843 HWY 12 & 18
Deerfield, WI 53531 |

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 5, 2006

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

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

MOTION CARRIED 4-0.

B. **MOTION** by Kessenich/Klinger to approve 2006-2007 Cigarette Licenses for:

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

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

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

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

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

MOTION CARRIED 4-0.

C. **MOTION** by Anders/Klinger to approve operators licenses as attached (list available in the clerk's office), except for Sarah Pelgrin and Sara Schimelpfenig. Both had questionable background checks and were not present, although the clerk stated she had spoken with both of them to advise them to attend. **MOTION CARRIED 3-1** (Klinger opposed). Anderson noted that the denied applicants do have the right to appeal.

D. **MOTION** by Anders/Klinger to approve manager's licenses as attached (list available in the clerk's office). **MOTION CARRIED 4-0.**

XII. Consider 2006-2007 Non-Metallic Mining Permit Applications: **MOTION** by Klinger/Anders to approve mining permits for:

R.G. Huston Company, Inc.

1. Gaston Road Quarry – 2543 Gaston Road
2. Nora Road Pit – 2494 Nora Road
3. Skaar Pit – 3355 County Road N

Sun Prairie Sand and Gravel, LLC – 2272 US Highway 12 & 18

MOTION CARRIED 4-0.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 5, 2006

- XIII. Update of Policy on the sale of burial plots at Liberty Prairie Cemetery: Hampton suggested updating the policy to make the burial plot fee equal to the fees for all Town of Cottage Grove cemetery lots. Kevin Shelley, Administrative Caretaker of the cemetery, stated that Liberty Prairie has had no affiliation with the Cottage Grove Cemetery Association. He felt the \$400 resident/\$800 non-resident fee is a pretty steep increase, especially since lot sales are limited to persons having relatives already buried there, most of whom are non-residents. **MOTION** by Anders/Klinger to adjust the Liberty Prairie burial plot fee to \$400 for both residents and non-residents based on the limited segment of the population eligible to purchase lots. Hampton stated he did not feel guilty charging non-residents more since they have not been supporting the cemetery through taxes as residents have. **MOTION FAILED 1-3** (Anders was in favor). **MOTION** by Hampton/Klinger to amend the Policy on the sale of burial plots at Liberty Prairie Cemetery to include fees equal to other Town of Cottage Grove Cemetery plots, and to add a requirement that all monuments must be of appropriate size and type as to blend with the character of the present cemetery, subject to Town Board approval. **MOTION CARRIED 4-0.**
- XIV. Consider the Plan Commission to revisit the designation of Ag Business on County Road N and U.S. Highway 12 & 18 and Skaar Property, Nora Road to Medium Density. **MOTION** by Anders/Klinger to direct the Plan Commission to consider the following revisions to the Smart Growth Plan during the current review period
- A. Change the designation from Ag Business to Commercial at County Road N and U.S. Highway 12 & 18.
 - B. Change the designation from Agriculture to Medium Density for the Skaar Farm on Nora Road.

MOTION CARRIED 4-0.

A discussion was held with James and Nola Skaar comparing the options of developing their farm on Nora Road either 4 lots at a time or as a sub-division. Anderson advised them to seek counsel from someone with expertise in land division law, as well as knowledge of Dane County Zoning and smart growth plans. They are to notify the Plan Commission before the June 21st meeting whether to proceed with considering a change in the designation of their farm to medium density.

- XV. CONSIDER MOVE INTO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session, and 19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral advice concerning proposed Boundary Agreement. **MOTION** by Anders/Klinger to move into closed session. **ROLL CALL VOTE – ALL AYES.** The Board moved into closed session at 9:00 P.M.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 5, 2006

- XVI. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION. **MOTION** by Hampton/Kessenich to reconvene to open session. **ROLL CALL VOTE – ALL AYES.** The Board reconvened to open session at 10:45 P.M. There was no action as a result of the closed session.
- XVII. Clerk's Report:
- A. Dane County Ordinances: None.
 - B. Recycling Compliance Assurance Plan: The clerk stated that she intends to work with the Village Clerk to develop similar plans for the two municipalities since we share in a garbage/recycling contract with Waste Management. The Board was in agreement with that approach.
- XVIII. Board Reports:
- A. Dave Morrow – Livestock Siting: Morrow as not in attendance.
 - B. Hampton:
 - 1. A new Fly Dane map is available in the office. They are not sure when the next flight will be.
 - 2. There will be a Wisconsin Town's Association meeting on July 19th in Fort Atkinson to include presentations on adopting Land Division and Subdivision Ordinances, Zoning and Land Use issues for Towns under county zoning, and impact fees.
 - 3. Hampton asked Anderson if the sub-division ordinance needs to be changed to eliminate park land fees. Anderson stated that it does, and it also requires a needs assessment from the Town planner.
 - 4. Hampton asked if anyone needed a copy of ATC's three proposed power line routes – everyone had their own.
 - 5. Dane County Waterbody Classification information is available in the Town Office.
- XIX. Committee Reports:
- A. Ordinance Committee: Banigan and Kessenich reported that the committee had directed Attorney Greg Murray to draft changes to the junk ordinance for review at the next meeting on June 20th, mailbox regulation changes had been approved, junk car enforcement had been tabled for more information, and driveway enforcement had been deemed a public awareness issue.
- XX. **MOTION** by Kessenich/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:58 P.M.

Kim Banigan
Clerk
Approved 6-19-2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JUNE 19, 2006

- I. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Steve Anders, Karen Kessenich, Mike Klinger and Dave Morrow. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Anders/Klinger to approve the minutes of the regular town board meeting on June 5, 2006 as printed. **MOTION CARRIED 4-0-1.** (Morrow abstained).
 - B. **MOTION** by Anders/Kessenich to approve the minutes of the Alcohol and Non-Metallic Mining licensing public hearings on June 5, 2006 as printed. **MOTION CARRIED 4-0-1.** (Morrow abstained).
 - C. The clerk passed out minutes of the closed session on June 5, 2006. **MOTION** by Anders/Klinger to approve the minutes as printed, and keep them closed until the matter is resolved. **MOTION CARRIED 3-1-1.** (Kessenich opposed, Morrow abstained.) The clerk collected the minutes.
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Kessenich to approve the payment of bills corresponding to checks #13062 through #13092. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$986,451.73. **MOTION CARRIED 5-0.**
 - C. Hampton noted that check #13029 is still on hold from the last meeting, and should be included on the next agenda for possible release.
 - D. The Treasurer stated that she needs all second quarter per diems turned in no later than July 1st.
- IV. Public Concerns: Anne Schoenemann, president of Friends of the Cottage Grove Community Library, Inc., gave an update of library activities, including an upcoming garden tour with proceeds going toward Friends' activities and the library capital campaign, story hours for children, and an adult book club.
- V. Road Right of Way Permits: **MOTION** by Morrow/Klinger to approve Alliant to bore and trench for underground electric for Brian Korfmacher on Femrite Drive. **MOTION CARRIED 5-0.**
- VI. Landfill Update: Hampton reported that the Landfill Agreement has now been signed by both the Town and Village, the sign at the landfill has been removed, and the Village has 30 days from June 7th to make payment of the settlement amount. He directed Anders to schedule a meeting of the Landfill committee. The Clerk will find out who the Village representatives for the committee are.
- VII. Appeal of denial of operator's license – Sarah Schimelpfenig. Ms. Schimelpfenig described the nature of her disorderly conduct charge in January of 2006. **MOTION** by Klinger/Kessenich

to grant the operator's license on the condition that Ms. Schimelpfenig reappear before the board in six months (December 18, 2006) with no further charges. **MOTION CARRIED 3-2.** (Anders and Morrow opposed).

- VIII. Variance for garage too close to lot line – Phillip and Jeannie Anderson – 2650 Bluebird Lane: Gary Paddock represented the Andersons. He presented copies of a survey, and diagrams showing two alternatives for the location of the proposed garage. He explained that as a result of the recent survey, the Anderson's lost nearly four feet on their east lot line, and the preferred location for the new garage would be a 1'6" encroachment on the setback line. It would also encroach on the front setback by 3 feet. Lon Annen and Kirsten Lendborg, neighbors to the east at 2646 Bluebird Lane, were also in attendance. They stated that they have had some discussion with the Andersons regarding selling them the land lost by the survey, but were currently discussing a gate that is on their property. Mr. Annen also expressed concern over run-off from the roof of the proposed garage. Scott Gradel, 2640 Bluebird Lane, stated his concern over the width of the house compared to others in the neighborhood. Board consensus was to recommend the second location for the garage, set back from the front of the house so as to not require a variance. The feeling was that Dane County is not likely to grant the variance due to a lack of hardship.
- IX. Review Cottage Grove EMS Agreement: **MOTION** by Morrow/Klinger to forward the June 16, 2006 draft of the Cottage Grove EMS agreement to the Village Board for their review before the July 6th Joint Town/Village Boards Meeting. **MOTION CARRIED 5-0.** The draft tracks revisions as requested by both the Town and Village, and includes comments by Attorney Connie Anderson explaining the changes.
- X. Attendees for DCTA meeting – July 12, 2006 – 7:00 P.M. – Town of Cross Plains. Anders will pencil it in on his calendar.
- XI. Attendees for WTA meeting – July 19, 2006 – 8:00 A.M. – Jensen's Banquet Hall – Ft. Atkinson: No board members are available to attend.
- XII. Clerk's Report:
- A. Dane County Ordinances: None.
 - B. Dane County Planning and Development response to request for permit and inspection activity: The clerk noted that she had mailed copies of the response to the board members. Hampton stated that he had sent a second request for details regarding the nature of inspections.
 - C. Waste Management Survey: The board completed the survey as a group.
 - D. The Town of Clayton has asked for our participation in a survey of compensation of Town Officers. The Clerk handed out survey questions for board members, asked them to return them at the next meeting if they wish to participate.

XIII. Board Reports:

- A. Dave Morrow – Livestock Siting: Tabled until the July 3rd meeting.
- B. Hampton reported that at the joint Village Board/Village Plan Commission meeting on June 14th, the request to change The Farm and Door Creek Golf Courses to planned residential failed. Huston’s request to change the designation for lands to the south of the village was tabled until next year.

XIV. Committee Reports:

- A. ETZ Committee: Hampton reported that the committee is making progress on working on zoning code. The next meeting will be July 11th.
- B. Emergency Government Committee: Karen Kessenich was elected Chair, Chris Dyer is Vice Chair, Angy Watry remains secretary. Gary Peper has agreed to assist the committee.
- C. Deer-Grove EMS Committee: Greg Frutiger took Arnie Evensen’s spot on the committee. The Village of Cottage Grove’s attorney sent an open records request to the Village of Deerfield to find out if they intend to start a new service or rename the Deer-Grove service. The Committee went over the audit, directed Becky to have a dollar value for assets by early July so they can find out which assets Deerfield does not want. All parties agreed to allow Lifequest to continue collecting thru December 31st, with funds deposited in the Deer-Grove account to be divided by the appropriate percentages.

- XV. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:43 P.M.

Kim Banigan
Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JULY 3, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Kris Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Steve Anders, Karen Kessenich, Mike Klinger and Dave Morrow. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
A. **MOTION** by Klinger/Morrow to approve the minutes of the regular town board meeting on June 19, 2006, with the header date corrected to June 19, 2006, and correction to Anne Schoenemann in item IV. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
A. **MOTION** by Morrow/Klinger to approve the payment of bills corresponding to checks #13093 through #13126. **MOTION CARRIED 5-0.**
B. **MOTION** by Anders/Klinger to approve the net worth at \$932,781.83. **MOTION CARRIED 5-0.**
C. **MOTION** by Klinger/Anders to approve second quarter per diems as presented. **MOTION CARRIED 5-0.**
D. Klinger stated that check #13029 should be drawn against Emergency Service Building expenses. **MOTION** by Klinger/Morrow to release check #13029. **MOTION CARRIED 5-0.**
- IV. Public Concerns: Kessenich reported that David Walhovd, 4551 Conestoga Trail, expressed to her his opinion that the Town needs to provide brush pickup in sub-divisions. The Board suggested that the matter be re-visited at budget time.
- V. Road Right of Way Permits: **MOTION** by Morrow/Klinger to approve Charter to jack and bore parallel to the right-of-way for cable service repair at 4320 Damascus Trail. **MOTION CARRIED 5-0.**

Anders left for an EMS call at 7:14 P.M.

- VI. Landfill Update: Hampton reported that the June 29, 2006 tests show zero percent methane in both gas probes 8 and 9.
- VII. Update from American Transmission Company: Kurt Hendrickson, Local Relations Representative, described ATC's role in electric service delivery, and current and future projects. Demand for new transmission lines in the Madison area stems from both growth and the need to reinforce older systems. It takes five to seven years to build a major line, including two full years of public input before it even goes to the Public Service Commission. The Local Relations group is responsible for learning and responding to public concerns. The Public Service Commission determines final routes. Preference is given to existing utility routes, and highway and railroad right-of-ways. Less desirable are recreational trails and new corridors. Effort is made to minimize the environmental impact of transmission line construction, and care is taken to restore construction sites. Projects planned for this area include:
1. Vienna to Waunakee
 2. Rockdale to West Middleton
 3. West Middleton to Vienna
 4. West Middleton to Blount Street.

No proposed routes will touch the Town of Cottage Grove. The Rockdale to West Middleton Route will most likely follow the interstate to US Highway 12 & 18, and be in service by 2011. The Blount Street plant will be converted from coal to natural gas, which will mean a reduction of about 50% in production of electricity.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JULY 3, 2006

- VIII. Treasurer Job Description: The Treasurer presented her draft of the job description. Discussion resulting in the following suggested additions and revisions:
- A. Add references to Wis. Stats. 70 and 79 regarding taxation.
 - B. Add qualifications, including Quickbooks, Microsoft Word, Excel, Outlook experience, and a background in municipal accounting.
 - C. Add ability to appoint a deputy.
 - D. Revise item #3: ensure proper coding of purchase invoices, co- sign checks.
 - E. Change reference in item #4 to Village Administrator (delete Financial).
 - F. Revise item #10: Prepare monthly financial reports for the Town Board showing the current operational and capital budget. Provide Town Board with financial report, invoices and checks to be issued for payment. Provide the Town Board, Chair and Department Supervisors with timely and informative financial reports on a regular basis and as needed for review of current budget.
 - G. Revise item #17: Wisconsin Statutes, and/or Federal regulations.

The revised version will be considered at the next Town Board Meeting.

- IX. Plan Commission Recommendations:
- A. Woodward Knox – 1737 S. Jargo Road – Zone Change – RH-1 to C-2 with CUP for +/- .75 acre. Provide zoning compliance for existing buildings; allow buildings to be used for storage and contractor's equipment, repair, service, storage. **MOTION** by Hampton/Klinger to accept the Plan Commission recommendation to approve the C-2 zoning for +/- .75 acres with CUP , C-2 limited to permitted uses (f) Repairs, storage and service of contractor's machinery and equipment, and (q) Parking or storing of motor vehicles. **MOTION CARRIED 4-0.**
 - B. Kevin Shelley and Sandra Whitney – 1760 US Highway 12 & 18 – Zone Change - A-1EX to RH-1 for 4 acres. Intended land use to create two residential home sites of 2 acres each. Shelley questioned the accuracy of the reference to “legal conclusion per letter” in the June 21, 2006 Plan Commission minutes, but stated he was OK with the motion, which was the most important part. **MOTION** by Morrow/Klinger to approve the Plan Commission recommendation to approve the request for two lots on the south side of Hwy 12 & 18, each lot not to exceed 2 acres. Those 2 lots will use up remaining RDU's available to the farm. This leaves the additional RDU for the existing two farm houses due to continuous farm ownership since 1981. **MOTION CARRIED 4-0.**

Morrow left the room

- X. Consider Resolution approving a credit card for office staff use, and the credit limit for the card: **MOTION** by Klinger/Kessenich to approve the resolution as number 2006-09, with a credit limit of \$1000 on the card. **MOTION CARRIED 3-0.**

Morrow returned

Anders returned at 8:25 P.M.

- XI. Consider Recycling Compliance Assurance Plan: **MOTION** by Hampton/Kessenich to adopt the Recycling Assurance Plan as presented by the Clerk. **MOTION CARRIED 5-0.**
- XII. Consider Resolution Petitioning the Governor of Wisconsin to Create a Capital Area Wisconsin Regional Planning Commission: Hampton stated the only part he did not like was the County having representatives, and Kessenich asked if the City of Madison had approved it yet, which was unknown. **MOTION** by Anders/Klinger to adopt the resolution as number 2006-10. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
JULY 3, 2006

- XIII. **MOTION** by Klinger/Morrow to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing or public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: purchase of property for addition to Flynn Hall. **ROLL CALL VOTE – MOTION CARRIED UNANIMOUSLY.** The Board moved to closed session at 8:37 P.M.
- XIV. **MOTION** by Morrow/Klinger to arise from closed session. **ROLL CALL VOTE – MOTION CARRIED UNANIMOUSLY.** The Board reconvened to open session at 8:47 P.M.
- XV. **MOTION** by Morrow/Klinger to direct the chair to investigate the Lions Club’s interest in participating in funding the purchase of property for addition to Flynn Hall as discussed in the closed session. **MOTION CARRIED 5-0.**
- XVI. Clerk’s Report: None.
- XVII. Board Reports:
- A. Dave Morrow – Livestock Siting : Morrow is waiting for information from the Wisconsin Agri-Service Association. Put on next Town Board agenda.
 - B. Hampton reported that Safe Harbor Child Advocacy Center, Inc., sent notice that they will have a motorcycle ride passing through the Town on August 19th. Last year they had 82 riders, they expect more this year. The route in the Town will include US Highway 12 & 18 east to County Road N, then south toward Stoughton. They have applied for appropriate DOT and Dane County Highway permits, and will have an ambulance on standby.
- XVIII. Committee Reports:
- A. Ordinance Committee: The Clerk reported that the next Town Board agenda will include consideration of ordinances forwarded from the committee.
 - B. LEC: Anders reported that the Village has reached a population of 5000, which requires working toward a Police Commission.
- XIX. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:56 P.M.

Kim Banigan
Clerk

RESOLUTION 2006- 09

**A RESOLUTION APPROVING A CREDIT CARD
FOR OFFICE STAFF USE,
AND ESTABLISHING A CREDIT LIMIT FOR THE CARD**

WHEREAS, Town of Cottage Grove office staff is authorized to order office supplies as needed; and

WHEREAS, the Town Board may direct office staff to purchase other supplies and equipment; and

WHEREAS, payment of all bills are approved by the Town Board before a check is mailed; and

WHEREAS, online or telephone ordering, which may offer the best price and convenience, often requires purchase by credit card;

NOW, THEREFORE, BE IT RESOLVED that the Cottage Grove Town Board does hereby approve a credit card for use by the Clerk, the Treasurer, and the Town Secretary, with a credit limit of \$ 1,000.

Adopted this 3rd day of July, 2006 by a vote of 5 for and 0 against by the Cottage Grove Town Board.

(Signed copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

Town of Cottage Grove
Resolution 2006-10

1
2 RESOLUTION PETITIONING THE GOVERNOR OF WISCONSIN TO CREATE A
3 CAPITAL AREA WISCONSIN REGIONAL PLANNING COMMISSION
4

5 WHEREAS, the need to preserve the natural resources and beauty of the region
6 surrounding Wisconsin's capital require that local units of government work together to
7 address environmental concerns which transcend municipal boundaries;
8

9 WHEREAS, cooperative efforts can pool scarce resources to create a public
10 agency which can act as a resource for the community development efforts of local units
11 of government in the capital area of Wisconsin;
12

13 WHEREAS, the most appropriate legal means available for engaging in such
14 cooperative efforts appears to be creation of a regional planning commission under sec.
15 66.0309, Wis. Stats.;

16
17 WHEREAS, that statute provides that the Governor may create a regional
18 planning commission upon petition of a local unit of government and if the creation is
19 consented to by local units representing fifty percent of the population and fifty percent
20 of the equalized value of the proposed region;
21

22 AND, WHEREAS, the statute further provides in sec. 66.0309 (3)(b) that the
23 membership composition of a regional planning commission shall be in accordance with
24 resolutions adopted by a majority of the local units in the region having at least one-half
25 the population of the proposed region;
26

27 AND, WHEREAS, section 66.0301 of the Wisconsin Statutes allows counties,
28 towns, villages and cities jointly to exercise any power they possess, and the parties
29 hereto intend that the agreements contained herein be binding on each of them and on the
30 CARPC, once created, under authority of that statute;
31

32 NOW, THEREFORE, be it resolved, pursuant to secs. 66.0301 and 66.0309, Wis.
33 Stats., that:
34

- 35 1. The recitals set forth above are incorporated herein by reference and made
36 part of this Resolution.
- 37 2. The territory of the proposed Capital Area Regional Planning Commission
38 shall be all of Dane County.
- 39 3. The [City][Village][Town] of Cottage Grove hereby petitions the
40 Governor of Wisconsin to create the Capital Area Regional Planning
41 Commission with membership as defined in this resolution.
- 42 4. The [City][Village][Town] of Cottage Grove hereby consents to creation
43 by the Governor of Wisconsin of the Capital Area Regional Planning
44 Commission with membership as defined in this resolution.
- 45 5. The [City][Village][Town] of Cottage Grove hereby states its support for
46 having the Governor of Wisconsin designate, under NR 121.06(2), the
47 Capital Area Regional Planning Commission as the agency capable of
48 developing effective areawide water quality plans for Dane County.

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- 6. The membership plan of the Capital Area Regional Planning Commission shall be as follows:
 - a. Thirteen members to consist of:
 - i. Four members appointed by the Mayor of the City of Madison from the area of and representing the City of Madison;
 - ii. Three members appointed by the Dane County Cities and Villages Association from the area of, and representing cities and villages;
 - iii. Three members appointed by the Dane County Towns Association from the area of and representing towns.
 - iv. Three members appointed by the Dane County Executive, one from each of the three areas enumerated in subparagraphs 6 a. i through iii above.
 - b. No more than three of the thirteen members of the Commission may be members of the Dane County Board of Supervisors.
 - c. Any modifications in the sewer service areas shall require at least eight (8) votes.
 - d. Each member of the Commission shall serve a term of three (3) years. The initial members from each appointing authority shall be appointed by the appointing authority for initial terms of one, two or three years such that the terms of the members are staggered and one-third of the Commission is appointed each year. The appointing authority shall determine which members shall serve the various terms.
 - e. A member of the Commission may be removed by the appointing authority for cause, as defined in the Commission's by-laws.
 - f. There shall be a Budget and Personnel Panel of the Capital Area Regional Planning Commission which shall consist of:
 - i. The Mayor of the City of Madison;
 - ii. The Dane County Executive
 - iii. The President of the Dane County Towns Association; and
 - iv. The President of the Dane County Cities and Villages Association.
 - v. The chairperson of the Regional Planning Commission, as a non-voting member.
 - g. The Budget and Personnel Panel shall have the power, on behalf of and with advice of the CARPC:

97 i. to establish the levy and user fees and adopt the annual
98 operating budget for the CARPC. The Budget and
99 Personnel Panel may adopt a levy less than the statutory
100 maximum;
101 ii. to hire the Executive Director from a list of three
102 candidates selected by the CARPC.
103 iii. To remove the Executive Director, at pleasure.
104 iv. The Budget & Personnel Panel may act on the business
105 referred to in paragraphs i through iii only at a meeting at
106 which all four members of the Panel are present.
107 v. At any time after the CARPC has been in existence for
108 one year following its creation by the Governor of
109 Wisconsin, the Budget and Personnel Panel may, by a
110 vote of three of its four members, change or transfer to
111 the CARPC its responsibilities referred to in paragraphs ii
112 and iii.
113
114 h. The undertaking municipalities agree and hereby contract that the
115 annual levy charged by the CARPC shall not exceed .0017 percent
116 of equalized value under the CARPC's jurisdiction and within the
117 region. The annual increase in the levy for the CARPC may not
118 exceed the increase allowed under any levy limitations which
119 apply to Dane County. The parties agree that there shall be user
120 fees charged, not to exceed actual costs incurred, to review sewer
121 extension requests from local units of government, town sanitary
122 districts, town utility districts, and metropolitan sewerage districts.
123 The user fees shall be in addition to the net levy for the subsequent
124 budget year as established by the Panel The parties also agree that
125 the Budget and Personnel Panel shall submit its proposed levy to
126 Dane County no later than August 1 of each year. If the Budget
127 and Personnel Panel or CARPC fail to timely submit a levy or
128 budget, then the levy and budget in effect for the current year shall
129 continue for the next year.
130
131 7. The CARPC shall work with communities to update the Dane County
132 Water Quality Plan. In addition to the elements required by NR 121 of the
133 Wisconsin Administrative Code, the Water Quality Plan shall also define
134 areas that should be protected from development based on provisions to
135 protect water quality as contained in NR 121 of the Wisconsin
136 Administrative Code. The Plan shall also define areas that can be
137 developed with measures to protect, restore or minimize degradation of
138 water quality.
139
140 The Plan shall also define a 25-year Future Urban Development Area with
141 5-year updates. The Plan shall be developed in cooperation with area
142 communities, including towns, and shall consider adopted comprehensive
143 plans and intergovernmental agreements. The Plan shall be developed as
144 follows:

- 145 a. CARPC staff shall provide communities with environmental
146 condition reports consisting of maps, text, and information
147 identifying environmental issues that should be addressed.
- 148 b. The CARPC shall give priority to areas of the highest
149 environmental sensitivity and growth pressure. These areas are: all
150 communities within the Central Urban Service Area; all
151 communities within the Northern Urban Service Area; all urban
152 service areas with a year 2000 Census population of 3,000 or more;
153 and the Black Earth Urban Service Area. The CARPC should, in
154 general, provide assistance with planning for the Future Urban
155 Development Area of other urban service areas after assisting the
156 priority communities. The CARPC's Executive Director shall
157 provide to the CARPC a 3-year work plan with points of reference
158 and an annual progress report with recommendations.
- 159 c. The Plan, which will identify the 25 Future Urban Development
160 Area, shall be based on the requirements of NR 121 and shall also
161 consider other factors including the impacts on natural and built
162 systems, the efficient use of land including urban densities, and the
163 ability to efficiently provide services to support the development
164 and farmland preservation planning.
- 165 d. There shall be separate rules and policies for limited service areas.
- 166 e. The CARPC shall adopt policies and procedures for the
167 considerations of amendments to the Water Quality Plan between
168 five-year updates of the Water Quality Plan.
- 169 f. The CARPC shall provide the information described in Item a. to
170 areas with the highest environmental sensitivity and growth
171 pressure within three years of the date the CARPC commences
172 operations.
- 173 g. Communities shall submit their proposed Future Urban
174 Development Area within 24 months of the date they receive the
175 data from the CARPC. If a community does not meet this
176 timeline, the CARPC shall not act on any individual USA
177 expansion requests until the proposed plan is submitted. CARPC
178 may grant one six-month extension to this timeline.
- 179 h. The CARPC shall act on the proposed Future Urban Development
180 Area plan within a year of the plan's submission. If CARPC fails
181 to do so, the plan shall be acted upon by the Budget and Personnel
182 Panel.
- 183 i. The CARPC may not shift its staff work and analysis
184 responsibilities to the local communities.

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The above document was duly adopted by the Town Board of the Town of
Cottage Grove on the 3rd day of July, 2006.

[Signature] [Signature]
[Signature] [Signature]
[Signature]

CERTIFICATION

I, Kim Banigan, the Town Clerk of the Town of
Cottage Grove, do hereby certify that the above document was duly adopted by
the Town Board on the 3rd day of July, 2006.

[Signature]

Town Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
JULY 17, 2006

Public Hearing – Town of Cottage Grove Ordinances 8.05(2)(g), 12.045, and 11.01.

- I. Chairman Kris Hampton called the public hearing to order. Also present were supervisors Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. No members of the public were present to comment on any of the proposed ordinance revisions.
- II. **MOTION** by Klinger/Anders to close the public hearing. **MOTION CARRIED 5-0.**

Town Board Meeting

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Kris Hampton called the meeting to order at 7:06 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Morrow to approve the minutes of the regular town board meeting on July 3, 2006, with a change in item XVII. A. from Wisconsin Farm Bureau to Wisconsin Agri-Service Association. **MOTION CARRIED 5-0.**
 - B. The clerk passed out the July 3, 2006 closed session minutes. **MOTION** by Anders/Klinger to approve the minutes and keep them closed until the matter is made public, with an extra zero removed from 25,0000 in item II. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Morrow to approve the payment of bills corresponding to checks #13127 through #13166, holding check #13152 until the treasurer sees fit to mail it to meet its August 1st due date. **MOTION CARRIED 5-0.**
 - B. The treasurer noted that the net worth reflects the balance after check #13152 (bond payment), even though she is not actually transferring funds to cover it until July 31st so as to accumulate more interest. **MOTION** by Anders/Klinger to approve the net worth at \$708,421.28. **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: **MOTION** by Anders/Klinger to approve Charter to jack and bore and plow for cable service repair at 3713 and 3719 Oakwood Lane. **MOTION CARRIED 5-0.**
- VI. Landfill Update: Nothing to report.
- VII. Treasurer and Clerk Job Descriptions:
 - A. **MOTION** by Anders/Morrow to approve the revised Clerk Job Description, which now includes the requirement to take and file the official oath and bond as provided in section 60.31, Wis. Stats. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Morrow to approve the Treasurer's job description as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
JULY 17, 2006

- VIII. Consider/Adopt revisions to Ordinance 8.05(2)(g) for repair of mailbox damaged by snow removal, and creation of Ordinance 12.045 Regulation of Mailbox Installation. **MOTION** by Anders/Kessenich to adopt the revisions to TCG 8.05(2)(g) and the creation of TCG 12.045 as presented. **MOTION CARRIED 5-0.**
- IX. Consider/Adopt revisions to Ordinance 11.01 Regulation of Junk Accumulation: **MOTION** by Anders/Klinger to amend TCG 11.01 as presented. **MOTION CARRIED 5-0.**
- X. Consider/Approve Cottage Grove EMS Agreement: **MOTION** by Anders/Klinger to approve the Agreement for Cottage Grove Emergency Medical Services as presented in the proposed Final Draft per Joint Village-Town Meeting on July 6, 2006. **MOTION CARRIED 5-0.**
- XI. Discuss direction of insurance issue for Emergency Service Building: Hampton explained that it was recently discovered that the Town has been paying the full insurance premium for the Emergency Services Building since it was constructed. Furthermore, there is no language regarding insurance in the First Amendment to Intermunicipal Agreement Regarding Construction of Emergency Services Building, which defines how other costs are allocated between the Town and Village. **MOTION** by Hampton/Klinger to send a letter to the Village indicating these findings, suggesting that if they want to be named as an additional insured on the policy, an amendment should be considered at the August 3rd joint meeting to define allocation of insurance costs, and asking them to reimburse the Town for the Village share of previous year premiums. **MOTION CARRIED 5-0.**
- XII. Clerk's Report: The Clerk passed out copies of an invitation to a Village listening session regarding the Greater Madison Collaboration Council.
- XIII. Board Reports:
- A. Dave Morrow – Livestock Siting: John Petty of Wisconsin Agri-Services Association would like to speak to the board regarding livestock siting and any other agricultural issues the board may have questions about. Hampton suggested he come to the August 7th meeting.
- B. Hampton reported on a letter he received from Ron Trachtenberg at Murphy Desmond indicating that one of the owners of the Vang property on County Road AB does not want to dedicate land for a cul de sac. Consensus was to send a reply that the board would not approve a CSM without the dedication.
- XIV. Committee Reports:
- A. ETZ Committee: Hampton reported that the committee is finished with the zoning ordinance, and will now begin looking at current zoning of parcels to determine which new category they fall into. The next meeting is August 15th.
- B. Emergency Government: Kessenich reported that Gary Peper has agreed to help with radios and understanding of what the Fire Department might need in the field in the event of an emergency. Kessenich will be putting a reminder for the TRIAD survey in the Independent. A tour of the County's Mobile Command Vehicle may be possible in September or October. The committee is considering Citizen Emergency Response Team (CERT) training conducted by EMS employee Kim Jack, and the Red Cross "Together We Prepare" program.
- XV. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 7:55 P.M.

Kim Banigan
Clerk
Approved 8-07-2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 7, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Kris Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Anders to approve the minutes of the public hearing and regular town board meeting on July 17, 2006, as printed. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Morrow to approve the payment of bills corresponding to checks #13167 through #13224, holding check #13223 until August 11, 2006. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$614,491.26. **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: **MOTION** by Anders/Klinger to approve Verizon to jack and bore, plow and trench for telephone service at the corner of Buss and Gaston Roads. **MOTION CARRIED 5-0.**
- VI. Landfill Update: Hampton reported that the July 26, 2006 test showed zero percent methane in both gas probes 8 and 9. Anders reported that Tina Seybold of Strand Associates told him that after a couple more months of zero readings, the Town can apply to the DNR for quarterly testing of gas probe 8, and semi-annual testing after 18 months.
- VII. Senator Mark Miller – 16th Senate District: Senator Miller introduced himself and his background, and urged the Town Board to contact him whenever he could be of assistance with issues the Town encounters with state government. He described progress made in the last session toward the defeating of TABOR, and the creation of a Natural Disaster Relief Program to provide cleanup benefits for victims of a natural disaster when federal relief is denied.
- VIII. Update on Livestock Siting Legislation – John Petty – Wisconsin Agri-Service Association: Mr. Petty introduced himself as Executive Director of the Wisconsin Agri-Service Association. He outlined the history of livestock siting legislation, which regulates 1) property line and road setbacks, 2) management plan, 3) odor management, 4) manure management, 5) manure storage, and 6) runoff. If Towns want to regulate new or expanding livestock facilities, they must adopt the state standards by November 1, 2006. He saw no downside for the Town in adopting the standards, stating the advantage of “the devil you know” vs. being wide open with no regulating power.

Mr. Petty also gave his prediction that by the 2008 or 2009 harvest, 60% of the corn in Wisconsin will be going to ethanol production.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 7, 2006

Anders left for an EMS call at 7:50 P.M.

- IX. Consider Implementing the Livestock Facility Siting Law: The Clerk will prepare a resolution based on the Wisconsin Town's Association sample for consideration at the next Town Board meeting.
- X. Consider/Approve Temporary Class "B" license for Wisconsin Rugby Club to sell fermented malt beverages at their tournament at Crossroads Inn, 3562 County Road AB on August 12, 2006: Jon Moyer represented the Wisconsin Rugby Club. The application is for 8:00 A.M. to 8:00 P.M. The Clerk stated that she had spoken with Crossroads neighbor Frank Hlavac, whose primary concern is parking on Lud's Lane. Moyer stated that the road will be roped off to prevent parking, and personnel will patrol to ensure compliance. Separate parking areas will be designated for medics. Four porti-potties will be on site. They expect 200-250 people throughout the entire day. Their own bartender intends to apply for an operator's license in the Town. Crossroads neighbor Mike Niebuhr was in attendance, and stated that the Rugby Club had done a good job in previous years. **MOTION** by Klinger/Kessenich to approve the Temporary Class "B" license to sell fermented malt beverages at the Rugby tournament at Crossroads Inn from 8:00 A.M. to 8:00 P.M. on August 12th. **MOTION CARRIED 3-0-1.** Morrow abstained.
- XI. Consider/Adopt Budget Resolution No. 2, 2006, allocation of proceeds from landfill settlement. Hampton read the resolution (attached as Appendix A). **MOTION** by Klinger/Morrow to adopt the resolution as read. **MOTION CARRIED 4-0.**
- XII. Attendees for the WTA Annual Convention – October 15-18 – Lacrosse. Kessenich, Klinger and Hampton will attend, the Clerk will ask Anders if he wants to attend.
- XIII. **MOTION** by Klinger/Morrow to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing or public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: purchase of lot behind Flynn Hall and Cottage Grove EMS. **ROLL CALL VOTE – ALL AYES.** Moved to closed session at 8:10 P.M.

Anders returned at 8:15 P.M.

- XIV. **MOTION** by Anders/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES.** Reconvened to open session at 9:04 P.M. There was no action as a result of the closed session.
- XV. Clerk's Report:
- A. Dane County Ordinances – None.
 - B. Board Direction for soliciting voter registrations – Board consensus approved mailing of postcards to residents who voted in the last presidential election but have not registered under the new Statewide Voter Registration System.
- XVI. Board Reports:
- A. Hampton:

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 7, 2006

1. Presentations on regionalization of EMS services are to be held on August 10th in McFarland and on August 23rd in Monona.
2. An amendment to the Town of Black Earth's Land Use Plan is under a 60 day review period prior to a public hearing of County Zoning and ZLR on September 26th.
3. A letter from William White of Michael Best & Friedrich LLP, representing Door Creek Golf Course, Inc., contests classification of Door Creek's property as Parks & Open Space by the Town and the City of Madison under their draft Comprehensive Plans.
4. An invitation to the Dane County Sheriff's Citizen Academy was received. Kessenich expressed interest in attending.
5. The Draft 2007-2011 Transportation Improvement Program for Dane County is available in the Town Office.

XVII. Committee Reports:

- A. Joint Town/Village Planning: Hampton reported that he presented a proposal to extend the current boundary agreement until a new one can be drafted. Village committee members will present to their board.

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

Kim Banigan
Clerk

Approved 8-21-2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 21, 2006

Public Hearing – Town of Cottage Grove Ordinances 9.10 and 11.07.

- I. Chairman Kris Hampton called the public hearing to order. Also present were supervisors Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. No members of the public had any comments on any of the proposed ordinance revisions.
- II. The following corrections to Ordinance 9.10 Parades, Processions and Races were noted:
 - A. Correct spelling of COMPLIANCE in item (13).
 - B. Delete blank item (15).
 - C. Add a period at the end of the last sentence in the first paragraph of the application form.
- III. **MOTION** by Morrow/Anders to close the public hearing. **MOTION CARRIED 5-0.**

Town Board Meeting

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Kris Hampton called the meeting to order at 7:05 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Morrow to approve the minutes of the and regular town board meeting on August 7, 2006, as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the closed session minutes from August 7, 2006 as printed, and to keep them closed until both matters are resolved. **MOTION CARRIED 5-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Morrow to approve the payment of bills corresponding to checks #13225 through #13254. **MOTION CARRIED 5-0.**
 - B. The Treasurer noted that a \$333,083.21 settlement has been received from Dane County, and that payment of personal property tax for 2004 and 2005 has been received from a business previously omitted from the tax roll.
 - C. **MOTION** by Anders/Klinger to approve the net worth at \$930,162.02. **MOTION CARRIED 5-0.**
 - D. The treasurer noted that \$17,625 from the landfill settlement has been deposited in the Capital Contingency Fund as directed by Budget Amendment No. 2006-02. She asked the board whether she should move \$10,000 from the Money Market Contingency Fund to two \$5000 CD's at Bank of Sun Prairie that would earn 5.63% interest over 18 months. Board

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 21, 2006

consensus was to leave the funds in the money market account considering potential expenses with the startup of Cottage Grove EMS.

- E. The Treasurer stated that she has a draft of an investment policy for the Board to review for the next meeting.
- IV. Public Concerns: Kevin and Kathy Hicks asked if a 2.6 acre parcel, zoned RH-2, owned by Kevin's mother Eleanor Hicks on Jargo Road could be divided to create a second building site for them, so they could be closer to help her due to health issues. Her parcel was divided off of the rest of the farm in the late 1980's, and the balance was sold. They presented a letter from Eleanor Hicks stating her intentions, as well as a statement supporting their plans that was signed by neighbors. Hampton read TCG 15.15.1 regarding a variance to the TDR policy. The Board then directed the Hicks to apply to the Plan Commission.
- V. Road Right of Way Permits: **MOTION** by Morrow/Klinger to approve
1) Charter to jack and bore and trench for cable service at 4592-4594 Conestoga Trail, and
2) Verizon to jack and bore for phone service at 2878 Femrite Drive. **MOTION CARRIED 5-0.**
- VI. Landfill Update: Nothing.
- VII. CSM – Cheryl Nelson – 3023 County Road BB: **MOTION** by Anders/Klinger to approve CSM identified by number 06W-128 by Williamson Surveying. **MOTION CARRIED 5-0.**
- VIII. Discuss/Consider Cottage Grove EMS Ambulance Needs: Jess Robinson stated that one ambulance would need to be purchased. Deer-Grove Ambulance 78, which it sounds like Cottage Grove will get when the district dissolves on December 31, 2006, would act as a backup unit. Robinson intends to recommend to the commission the purchase of a new ambulance from Wheeled Coach for not more than \$127,000. They are the lowest price and the only vendor who can provide a custom unit on a timely basis (60 – 70 days). Service would be out of Elkhorn, guaranteed within 24 hours or a loaner rig would be provided. Unit includes a \$3600 cot. The Town's portion of 46% was calculated at \$58,420. **MOTION** by Hampton/Anders to approve purchase of a new ambulance at not more than \$127,000. **MOTION CARRIED 5-0.**
- IX. Approve use of 6 x 11 ft. room in the Town Hall basement for Historical Society storage, and approve the Historical Society to have a key to the basement door: **MOTION** by Klinger/Kessenich to approve use of the room at the bottom of the basement steps for Historical Society storage, and the issuing of a key for the basement door to the Historical Society. **MOTION CARRIED 5-0.**
- X. Consider/Approve revisions to Ordinance 9.10 Parades, Processions and Races: **MOTION** by Hampton/Anders to approve the ordinance as revised. **MOTION CARRIED 5-0.**
- XI. Consider/Approve revisions to Ordinance 11.07 Regulation of Peddlers and Transient Merchants. Kessenich questioned whether the exemption for charitable organizations adequately exempted groups like girl scouts. **MOTION** by Morrow/Anders to approve the ordinance as revised. **MOTION CARRIED 4-1.** Kessenich opposed. The clerk will prepare a resolution for the next meeting to set the fee for a Peddler's License.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 21, 2006

- XII. Discuss/Review ordinance for regulating livestock siting: The board reviewed the sample ordinance provided by the Wisconsin Town's Association, and filled in the blanks. There was concern over appropriate penalties for violation. **MOTION** by Klinger/Morrow to table until the next meeting, and in the meantime contact the WTA for advice on penalties. **MOTION CARRIED 5-0.**
- XIII. Consider options for lightening damaged phone system replacement: Hampton explained the options:
A) Keep demo replacement unit at a cost of \$1849 with a 1-year warranty.
B) Take back our own repaired unit at a cost of \$816.50, with a 90-day warranty.
It was noted that insurance has already reimbursed the \$1849. **MOTION** by Hampton/Morrow to accept option A. **MOTION CARRIED 5-0.**
- XIV. Set meeting dates for first meeting in September and second meeting in October:
A. **MOTION** by Hampton/Kessenich to hold the first meeting in September on Tuesday, September 5th. **MOTION CARRIED 5-0.**
B. **MOTION** by Klinger/Hampton to hold the second meeting in October on Tuesday, October 17th. **MOTION CARRIED 5-0.**
- XV. **MOTION** by Klinger/Morrow to MOVE TO CLOSED SESSION AS PERMITTED BY WIS. STATS. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing or public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: purchase of lot behind Flynn Hall. **ROLL CALL VOTE – ALL AYES.** Moved to closed session at 8:37 P.M.

Anders left for an EMS call at 8:41 P.M.

- XVI. **MOTION** by Morrow/Klinger to reconvene to open session. **ROLL CALL VOTE – ALL AYES.** Reconvened to open session at 9:04 P.M. There was no action as a result of the closed session.

- XVII. Clerk's Report:

Anders returned at 9:06 P.M.

- A. Dane County Ordinances – **MOTION** by Anders/Klinger to approve Ordinance Amendment No. 9, 2006-2007, Amending Chapter 10 of the Dane County Code of Ordinances, providing for Bio-Diesel Manufacturing in the Agricultural Business Zoning District. **MOTION CARRIED 3-1-1.** Hampton opposed, Morrow abstained.

- XVIII. Board Reports:

- A. Hampton:

1. He received notice from Ron Trachtenberg of Murphy Desmond, S.C. that the County has approved rezoning the Door Creek property, but since the County action is at variance with what was previously approved by the Town, the Town Board will need to put it back on the agenda for approval. No notice of this has been received from the County yet.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
AUGUST 21, 2006

2. He received a request from Sara Steele on behalf of the Historical Society to allow a historical sign about Vilas to be placed at the Salem Cemetery. Consensus was that the Board would probably not have a problem with this placement of the sign.
 3. Preliminary 2006 Population estimate of 3902 has been received, as well as equalized value of \$374, 907,600, a 1.36% change in apportionment. The Village had a 9.27% change in apportionment.
- B. Anders reported that he attended the Deer-Grove Commission meeting as a spectator, and urged committee members not to approve payment of bills corresponding to printing and mailing of recruitment materials as they are of no benefit to Cottage Grove. He also reported hearing negative comments from Deerfield residents regarding splitting of assets of the district upon its termination.
- XIX. Committee Reports
- A. Emergency Government: Kessenich reported that at the next meeting they will work on an organization chart and job descriptions. Kim Jack has been wonderful to work with. The Red Cross is no longer offering their disaster training due to budget constraints.
 - B. ETZ Committee: Hampton reported that no meeting was held in August because Dustin Wolff did not show up, and is no longer working for Vandewalle & Associates. Mike Slavney will take his place in advising the ETZ Committee.
- XX. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:29 P.M.

Kim Banigan
Clerk

Approved 9/05/2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 5, 2006

Public Hearing – Town of Cottage Grove Ordinance 20.03.

- I. Chairman Kris Hampton called the public hearing to order at 7:00 P.M. Also present were supervisors Dave Morrow and Steve Anders, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. No members of the public had any comments on the Licensing of Livestock Facilities ordinance
- II. **MOTION** by Morrow/Anders to close the public hearing. **MOTION CARRIED 3-0.**

Town Board Meeting

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:03 P.M. at the Town Hall. Other board members present were Dave Morrow and Steve Anders. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Anders/Morrow to approve the minutes of the public hearing and regular town board meeting on August 21, 2006, as printed. **MOTION CARRIED 3-0.**
 - B. **MOTION** by Morrow/Anders to approve the closed session minutes from August 21, 2006 as printed, and to keep them closed until after the closing on the property. **MOTION CARRIED 3-0.**

Klinger arrived at 7:07 P.M.

- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Hampton/Morrow to approve the payment of bills corresponding to checks #13255 through #13290, with checks #13258, 13260, 13629 voided. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$896,669.08. **MOTION CARRIED 4-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: **MOTION** by Anders/Klinger to approve AT&T to jack and bore on Kinney and Schadel Roads for new telephone service. **MOTION CARRIED 4-0.**
- VI. Landfill Update: Hampton reported that August 29, 2006 test results show zero percent methane in both gas probes 8 and 9.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 5, 2006

- VII. Consider/Approve Town Investment Policy: The Treasurer presented a draft of the investment policy for consideration. **MOTION** by Anders/Klinger to approve the Town of Cottage Grove Investment Policy as presented, with the addition of today's date for reference. **MOTION CARRIED 4-0.**

Kessenich arrived at 7:20 P.M.

- VIII. Mary Jean Hlavac – Seeking assistance with traffic using her driveway as a turn around on Luds Lane: Mrs. Hlavac complained that cars, trucks, semis, and trucks with trailers have all turned around in her yard. Hampton suggested that a cul-de-sac could be built at the end, but the Hlavacs would need to dedicate a 120 foot circle to the Town. Mrs. Hlavac asked if a 'No Turn Around' sign could be put up. **MOTION** by Klinger/Kessenich to put a 'No Turn Around' sign on the post with the 'Dead End' sign on Lud's Lane. **MOTION CARRIED 5-0.** Mrs. Hlavac also asked for a load of gravel as compensation for years of repairing her yard due to turn-arounds. The board did not feel they could set such a precedent.
- IX. CSM – Derek Dagget – 3200 Kinney Road: Mr. Dagget explained that he wants to change the lot line between two lots he owns on Kinney Road. **MOTION** by Klinger/Anders to approve the CSM as presented on Office Map No. 060195CSM dated 3/16/06. **MOTION CARRIED 5-0.**
- X. Consider Mobile Home Permit for Kyle & Kathryn Klawitter, 1939 Hubred Lane: **MOTION** by Klinger/Anders to approve a permit for temporary location of a house trailer at 1939 Hubred Lane, to expire on July 1, 2007 unless renewed by action of the Town Board. **MOTION CARRIED 5-0.**
- XI. Consider/Approve modifications to Door Creek, LLP rezone petition No. 9252 as approved by the Dane County Board: The differences between Town and County approvals were reviewed, and there was concern over item 10) parking or storing of motor vehicles. Town approval had stipulated that storage of motor vehicles must be associated with an active business, County approval did not. **MOTION** by Hampton/Anders to delay until the September 18th meeting so that options can be investigated, possibly without having to send Door Creek, LLP back to the County. **MOTION CARRIED 5-0.**
- XII. Consider adoption of TCG Ordinance 20.03 Licensing of Livestock Facilities: **MOTION** by Anders/Morrow to approve the ordinance as presented. **MOTION CARRIED 5-0.** The clerk noted that the publication budget is running low, and asked the board if they might want to hold off on publishing the ordinance until next year. The board directed her to get an estimate for publishing the ordinance for the next meeting.
- XIII. Consider/Approve Resolution Setting the Registration Fee for Peddlers and Transient Merchants: Hampton read the resolution. **MOTION** by Klinger/Kessenich to approve Resolution 2006-11 Setting the Registration Fee for Peddlers and Transient Merchants at \$25.00. **MOTION CARRIED 5-0.**
- XIV. Discuss Vandalism at former town garage: Hampton reported that two north windows on the former garage had been broken by rocks from the neighboring driveway. The windows have been temporarily boarded up. Tenant would like to replace the windows with glass blocks, but that would cost \$1600. **MOTION** by Klinger/Hampton to get an estimate for glass repair for insurance purposes, and permanently board up the windows. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 5, 2006

XV. Clerk's Report:

A. Dane County Ordinances: None.

XVI. Board Reports:

A. Hampton: At the most recent meeting between the City of Madison, Town and Village of Cottage Grove, the city had not provided any draft of language for a boundary agreement. The City's attorney suggested that the first agreement fall under Wis. Stats. 66.0301 Intergovernmental Cooperation, then moving toward an agreement under 66.0307 Cooperative planning.

XVII. Committee Reports

A. Law Enforcement Committee: One officer has resigned, Village has not decided whether they want to continue to fund their additional officer.

B. Joint Town/Village Fire Department Committee: The 2007 budget has been set.

C. Flynn Hall Committee: 2007 budget to be the same as 2006.

D. Parks Committee: 2007 budget set at \$4000. Looking for blacktopper for Nondahl basketball court. Will need some sand now, more next year.

XVIII. **MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:35 P.M.

Kim Banigan
Clerk

Approved 9/18/2006

RESOLUTION 2006-11

**A RESOLUTION SETTING THE REGISTRATION FEE
FOR PEDDLERS AND TRANSIENT MERCHANTS**

WHEREAS, item (4)(c) of Town of Cottage Grove Ordinance 11.07 Regulation of Peddlers and Transient Merchants stipulates that the registration fee for Peddlers and Transient Merchants shall be set by resolution of the Town Board;

NOW, THEREFORE, BE IT RESOLVED that the Cottage Grove Town Board does hereby set the registration fee for peddlers and transient merchants at \$25.00.

Adopted this 5th day of September, 2006 by a vote of 5 for and 0 against by the Cottage Grove Town Board.

(Signed Copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Kristopher Hampton, Town Chair

ATTEST:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 18, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Morrow/Kessenich to approve the minutes of the regular town board meeting on September 5, 2006, as printed. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Morrow to approve the minutes of the public hearing on September 5, 2006 as printed. **MOTION CARRIED 3-0-2.** Klinger and Kessenich abstained.
 - C. The Treasurer asked that third quarter per diems be turned in no later than September 29th.
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Klinger to approve the payment of bills corresponding to checks #13291 through #13332. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$854,844.48. **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported that the September 11, 2006 test results showed zero percent methane for both gas probes 8 and 9. He further reported on a letter from the DNR confirming that Cottage Grove has met the criteria to monitor GP-9 on a quarterly rather than a monthly basis.
- VII. Consider/Approve Deed Restriction on the permitted use of parking or storage of motor vehicles on Door Creek, LLP property to be rezoned to C-2: Attorney Ronald Trachtenberg, and Gordy Morauske were present representing Door Creek, LLP. Trachtenberg stated that he thought the deed restriction was redundant as the County required deed restriction would have the same effect, however there is no harm in adding the new deed restriction in favor of the Town. **MOTION** by Klinger/Anders to approve the deed restriction as presented. **MOTION CARRIED 5-0.** Mr. Trachtenberg will see that the deed restriction is recorded, and the Clerk will notify the County Clerk of the Town's approval of the zone change.
- VIII. Approve correction of ordinance number from 20.03 to 20.04 for Regulation of Livestock Facilities Ordinance: The Clerk stated that 20.03 is reserved for Animal Health. **MOTION** by Klinger/Anders to change the number for the Livestock Facilities Ordinance to 20.04. **MOTION CARRIED 5-0.**
- IX. Approve/Delay publication date for Regulation of Livestock Facilities ordinance based on estimate of publication cost: The Clerk stated that the Wisconsin State Journal estimated

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 18, 2006

publication cost at \$785-\$790. **MOTION** by Anders/Klinger to delay publication until after January 1, 2007. **MOTION CARRIED 5-0.**

- X. Report on the Community Library Survey Results: Peggy Jensen presented a booklet entitled “A Community Resources and Outreach Survey” prepared for the Cottage Grove Community Library Board of Trustees and the Capital Campaign Committee by Church Street Associates. The booklet described the purpose and procedures of the survey, gave highlights of interviews of area residents, and provided recommendations on items such as perception of need, affordability and funding, location, exterior design, and competition with other community projects. In conclusion, it suggested that the level of funding from government and private contributions must be defined, and that cost and construction details are currently being held up by delays in acquiring a suitable building site. Jensen stated a 2 to 3 ½ acre building site is needed.
- XI. CSM – Duane Swalheim – 2263 Schedel Road. **MOTION** by Hampton/Anders to approve the CSM as presented on DRG. NO. 3327. **MOTION CARRIED 5-0.**
- XII. Approve Appointment of Livestock Facility Administrator: **MOTION** by Klinger/Morrow to appoint Tom Viken as Livestock Facility Administrator, effective on January 1, 2007. **MOTION CARRIED 5-0.**
- XIII. Approve purchase of turnout gear for Cottage Grove EMS District. **MOTION** by Anders/Kessenich to approve the purchase of 29 sets of turnout gear at a cost of \$25,000, with the Town’s portion being between \$11,000 and \$12,000. **MOTION CARRIED 5-0.**
- XIV. Consider/Approve Resolution calling on the Dane County Board of Supervisors Either to Handle Zoning Properly or Stop Administering it Entirely. Tabled until the next meeting.
- XV. Consider/Approve Contract for Provision of Emergency Medical Services by Cottage Grove EMS to the Town of Pleasant Springs. **MOTION** by Anders/Klinger to approve the contract as drafted and dated 9-18-06, making sure that all signatures are on one page when it is signed. **MOTION CARRIED 5-0.**
- XVI. Consider/Approve Contract for Provision of Fire Protection Services by the Cottage Grove Fire Department to the Town of Pleasant Springs: **MOTION** by Klinger/Anders to approve the contract as drafted and dated 9-18-2006, making sure that all signatures are on one page when it is signed. **MOTION CARRIED 5-0.**
- XVII. Set 2007 Budget Workshop Dates: 2007 Budget Workshops will be held on October 3rd, 9th, 11th, and 26th at 7:00 P.M., with a closed session on October 9th for labor negotiations.
- XVIII. Clerk’s Report:
A. Dane County Ordinances: None.
- XIX. Board Reports:
A. Hampton asked if the Board wants to pursue a 2007 Comprehensive Planning Grant. Consensus was to apply for the grant.
- XX. Committee Reports
A. ETZ: No report.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
SEPTEMBER 18, 2006

B. Cottage Grove EMS Commission: Turnout gear, radios, defibulators were discussed.

C. Emergency Government: 2007 Budget set at \$3000. Committee is working on job descriptions and a calling tree.

D. Flynn Hall Committee: 2007 budget to be the same as 2006.

XXI. **MOTION** by Klinger/Kessenich to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:47 P.M.

Kim Banigan
Clerk

Approved 10/02/06

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 2, 2006

Public hearing – Vacation of a portion of Hubred Lane

- I. Chairman Kris Hampton called the public hearing to order at 7:00 P.M. Also present were supervisors Mike Klinger and Karen Kessenich, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. No members of the public had any comments on the proposed vacation of a portion of Hubred Lane.
- II. **MOTION** by Klinger/Kessenich to close the public hearing. **MOTION CARRIED 3-0.** The public hearing ended at 7:02 P.M.

Regular Town Board Meeting

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:02 P.M. at the Town Hall. Other board members present were Mike Klinger and Karen Kessenich. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Kessenich to approve the minutes of the regular town board meeting on September 18, 2006, as printed. **MOTION CARRIED 3-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Kessenich to approve the payment of bills corresponding to checks #13333 through #13372, holding check number 13363 until further notice. **MOTION CARRIED 3-0.**
 - B. **MOTION** by Klinger/Kessenich to approve the net worth at \$726,091.43. **MOTION CARRIED 3-0.**
 - C. **MOTION** by Klinger/Kessenich to approve payment of third quarter per diems as presented. **MOTION CARRIED 3-0.** The Treasurer noted that per diems will be paid the week of October 13th.
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: Hampton reported on receiving a copy of a letter from Strand to the DNR requesting a reduction in monitoring of Gas Probe 8 from a monthly to a quarterly basis, based upon GP 8 having 12 consecutive months with no methane detections. He further reported that the results of the September 26th test showed zero percent methane in both gas probes 8 and 9.

Dave Morrow arrived at 7:10 P.M.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 2, 2006

- VII. Consider/Approve Resolution calling on the Dane County Board of Supervisors either to handle zoning properly or stop administering it entirely. **MOTION** by Morrow/Klinger to table until the next regular board meeting on October 17th. **MOTION CARRIED 4-0.**

Steve Anders arrived at 7:12 P.M.

VIII. Plan Commission Recommendations:

- A. Ellery Jensen (Daniel Archie, Owner) – 3520 Natvig Road – Zone Change – R-1A to A1-EX for .28 acres and A-1 to R-1A for .53 acres. Intended land use to correct boundary lines. **MOTION** by Hampton/Morrow to accept the Plan Commission recommendation to approve the rezone as requested. **MOTION CARRIED 5-0.**
- B. Brett Stubblefield (Mary Stubblefield, Owner) – 2128 Schadel Road – Zone Change – RH-1 to R-1 for split of 2 acre lot under the TDR policy 15.15.1 requesting a variance. Intended land use for construction of a single family home. **MOTION** by Anders/Klinger to accept the Plan Commission’s recommendation to approve the rezone and variance to the TDR requirement due to continuous ownership before 1981, and the fact that it is surrounded on three sides by residential development. **MOTION CARRIED 5-0.**
- C. Daniel Goff – County Road BB – Section 7 – Vacant Land – Zone Change – C-1 & R-1A to R-1 & C-2 for .75 & 1.43 acres. Intended land use for a single family home and warehouse building. Mr. Goff presented a drawing showing locations of the warehouse building, house and driveway. **MOTION** by Anders/Klinger to accept the Plan Commission’s recommendation to approve R-1 zoning for .75 acres and C-2 zoning for 1.43 acres, allowing only paragraphs (c) sales of new and used motor vehicles and (q) parking or storing of motor vehicles of the C-2 permitted uses, with no outside storage of vehicles allowed. **MOTION CARRIED 5-0.** The applicant was advised that the parcels could not ever be sold separately due to the lack of road access to the R-1 parcel, except to the owner of an adjoining parcel that could provide road access.
- D. Report on the Working Lands Listening Session Initiative – Kevin Shelley presented an agenda for the upcoming listening sessions, stating that he hoped someone from the Town Board or Plan Commission could attend. Shelley also presented an Executive Summary from the Wisconsin Working Lands Initiative, and he highlighted some of the recommendations for action from the Steering Committee.
- E. Consider/Approve Resolution providing for the vacation of a portion of Hubred Lane: The board, along with Kyle Klawitter and Jeff Smith, reviewed a survey map identified as office map No. 060740DES showing the proposed vacation at the end of Hubred Lane, dedication of a 60’ radius circle for a cul-de-sac, and dedication of lands along all lands owned by Klawitters to give the town a full 66’ road right of way. Smith stated that a full 120’ cul-de-sac would not need to be put in unless further residential development occurred at the end of Hubred Lane, and then it would be at the owner’s expense. For now, Smith intends to only improve it enough for a good turnaround, and at the Town’s expense. Hampton read the resolution providing for the vacation of the portion of Hubred Lane as depicted on the

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 2, 2006

survey map. **MOTION** by Klinger/Anders to approve it as read as Resolution 2006-12.
MOTION CARRIED 5-0.

F. Consider/Approve Cottage Grove EMS 2006 Budget Proposal. **MOTION** by Anders/Klinger to approve the 2006 Cottage Grove EMS Budget at \$81,743 as presented, but using 2007 Equalized Values to split the cost between the Town and the Village, as opposed to 2006 Equalized Values as shown on the proposal. **MOTION CARRIED 5-0.**

G. Consider/Approve Strand Associates, Inc. draft Agreement for 2007 Services for the Natvig Road Landfill. The Clerk passed out a memo from Attorney Connie Anderson suggesting three revisions to the contract as drafted. **MOTION** by Morrow/Anders to approve the contract as drafted and with the revisions as suggested by Attorney Anderson. **MOTION CARRIED 5-0.**

IX. Clerk's Report:

A. Dane County Ordinances: None.

X. Board Reports:

A. Hampton reported on a letter from Attorney Ronald Trachtenberg to Todd Violante at Dane County zoning confirming that he will advise the Town when the deed restriction for Door Creek, LLP has been recorded.

B. Hampton reported on a letter from Geo Trans regarding the barrier well system for Hydrite. An Overview of the University Consortium Research, Executive Summary Progress Report is available in the Town Office.

C. Hampton reported that the 2006-2011 Dane County Parks and Open Space Plan is available in the Town Office.

XI. Committee Reports

A. Deer-Grove EMS – No Report.

B. Landfill Committee: The Committee would like someone from Strand Associates to attend their meeting in January of 2007.

C. Law Enforcement Committee: There was an hour and 10 minutes of public concern over a dispute between two business owners in the Village. Time ran out before the budget was discussed, so there will be a special meeting on October 4th at 6:00 P.M.

D. Plan Commission: Nothing to report.

E. Cottage Grove EMS Commission: No Report.

XII. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:14 P.M.

Kim Banigan
Clerk

RESOLUTION 2006-12

A RESOLUTION APPROVING VACATION OF A TOWN ROAD

WHEREAS, a petition signed by all of the landowners on the town road to be vacated was received on September 5, 2006; and,

WHEREAS, on October 2, 2006 a public hearing was held on the vacation of the a portion of the town road known as Hubred Lane in the Town of Cottage Grove as more fully described and depicted on the attached Map marked as Exhibit A Road; and,

WHEREAS, prior to the public hearing the Town Clerk duly published a Class 3 notice announcing the public hearing and the name of the road to be vacated; and,

WHEREAS, prior to the public hearing the Town Clerk served a notice of the public hearing on all land owners abutting the portion of the Road to be vacated;

NOW, THEREFOE, in consideration of the above clauses which are herein incorporated by reference, the Cottage Grove Town Board resolves as follows:

1. The public interest requires that the portion of unimproved Road as depicted and further described on the attached Map, Exhibit A, be vacated.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against on this 2nd day of October, 2006.

(Signed copy available in the Clerk's Office)

Kris Hampton, Town Chair

ATTEST

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 3, 2006

- I. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Chairman Kris Hampton called the meeting to order at 7:05 P.M. in the Town Hall. Other board members present: Supervisors Steve Anders and Karen Kessenich. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, and Highway Superintendent Jeff Smith. Mike Klinger arrived at 7:12 P.M. and Dave Morrow arrived at 7:40 P.M.
- II. Areas of discussion included Income, Capital Outlays, Culture and Recreation, General Building Town, Judicial expenses, Sanitation Costs.
- III. Before the next budget workshop, the Clerk will verify 2006 Road Right-of-way income, and the Treasurer will verify 2007 debt service.
- IV. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 9:13 P.M.

Kim Banigan
Clerk

Approved 10/17/2006

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 9, 2006

I. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Chairman Kris Hampton called the meeting to order at 7:05 P.M. Other board members present: Supervisors Steve Anders, Karen Kessenich, Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Road Patrolman Norm Schmelzer, and Office Secretary Ruth Gjermo. Town Residents Jill List and Mary Salvi arrived after the closed session.

II. **MOTION** Anders/Kessenich to move to closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 3-0.**

III. Smith asked for a 3% wage increase for the four Road Patrolmen, everything else to remain the same.

Mike Klinger arrived at 7:14 P.M.

IV. Other wages for 2007 were reviewed – see Appendix A 2007 Labor Negotiation Agreement.

V. **MOTION** by Anders/Klinger to grant a 3% wage increase beginning with the first full pay period in January 2007 to the four Road Patrolmen, the Office Secretary, the Clerk Hourly Rate, the Janitorial Worker, and the Clerk of Courts. **MOTION CARRIED 5-0.**

VI. The Board directed Smith to purchase rain suits for the four Road Patrolmen in 2006 or 2007 as the budget allows.

VII. **MOTION** by Anders/Kessenich to reconvene to open session. **ROLL CALL VOTE – ALL AYES. MOTION CARRIED 4-0.** Open session was reconvened at 7:27 P.M.

VIII. Other areas of discussion included: Debt Service, General Government, General Administration, Town Hall Maintenance, Judicial and Legal, Legislative, Insurance, Health and Human Services, EMS, Fire Protection, Inspections, Public Works, and Landfill Monitoring.

IX. List and Salvi expressed their continuing support for upgrading the playground equipment in Meadow Grove Park, and participating in a joint recreation program with the Village.

X. For the next budget workshop, the Treasurer will fill in Fire Protection expenses based on the Fire Department budget, and she will verify debt service. The Clerk will verify maintenance costs for the office copy machine, verify insurance costs, and fill prepare a new budget worksheet showing totals for items discussed so far.

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 9, 2006

- XI. Hampton asked if the Board was in favor of budgeting \$5000 for an EMS Regionalization Feasibility Study – consensus was no.
- XII. Hampton asked if the Board was in favor of budgeting \$323 in support of the Collaboration Council Regional Economic Development and Stewardship Entity. Consensus was no.
- XIII. **MOTION** by Anders/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:46 P.M.

Kim Banigan
Clerk

Approved 10/17/2006

TOWN OF COTTAGE GROVE
2007 LABOR NEGOTIATION AGREEMENT

Appendix A

I. Road Patrolmen Salaries:

Employee	Hourly Wage	Overtime Pay
Jeff Smith	\$ 23.19	\$ 34.79
Rolland Schutz	\$ 21.92	\$ 32.88
Norman Schmelzer	\$ 21.92	\$ 32.88
Steve Querin-Schultz	\$ 21.92	\$ 32.88

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

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

II. Vacations, Holidays, and Sick Leave:

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

Vacation is earned as follows:

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

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

HOLIDAYS:

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

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

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

DEATH IN IMMEDIATE FAMILY:

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

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

III. Office Secretary Salary/Benefits:

Hourly wage is \$15.35. Hours will be Monday-Friday 8:00 A.M.-12:30 P.M. Vacation to be earned at the same as listed above. Sick leave earned at 5 1/2 hours per month. Benefits will be received at 56% of full time employees. A 12% bonus is placed in a deferred compensation plan for all hours worked.

IV. HEALTH INSURANCE:

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

V. LONGEVITY BENEFIT:

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

VI. Other Salaries – No additional benefits paid:

Town Chairman	\$1000.00/yr. Jan – April, increase to \$2000.00/yr. effective May 1, 2006
Replacement Secretary:	\$8.50 per hour
Machine Operator	\$10.00 per hour (negotiable)
Town Board:	\$50 per diem
Clerk Salary	10,000 per year
Clerk Hourly Rate	\$11.59 per hour
Treasurer	\$15000.00 per year
Election workers:	\$6.50 per hour + .50 additional for each year of service. Chief Inspector advances by one year upon certification
Janitorial Worker	\$13.11 per hour
Clerk of Courts	\$13.76 per hour
Court Judge	\$3000 per year
Highway Superintendent	One Hour Wage for attending Regular Board Meetings

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

Office Staff: Vacations approved by Chairman.

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 11, 2006

- I. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Steve Anders called the meeting to order at 7:05 P.M. in the Town Hall. Other board members present: Supervisors Karen Kessenich and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Attorney Greg Murray, Town residents Mary Salvi, Jill List, and Virgil Schroeder. Kris Hampton arrived at 7:35 P.M.
- II. Colonial Club representatives Barbara Bailey and Lori Carey presented an overview of the services and programs available to Town residents, and explained that their annual budget request is calculated from the percentage of total individuals served who are from the Town of Cottage Grove. Kessenich asked what the total number served was, but they did not have an answer readily available and will get back to her. Klinger asked what portion of their budget is administrative. They said 15%, which is mandated by Dane County and United Way. Anders pointed out to them a listing of charitable organizations given to Federal employees that listed Colonial Club at 32% administrative. Bailey assured the Board that was not the case, and Carey explained that prior to a recent re-organization of accounts, expenses may have been reported as administrative when they actually were not.

Hampton arrived

- III. Attorney Greg Murray described the income and expenses associated with municipal court. He suggested that the Town's court fee could be increased from \$23 to \$28. He also indicated that with recent drops in the number of court cases, possibly he could return to a former procedure of making pre-trial phone calls rather than coming to court every time. Anders asked about the implications of eliminating the Town's municipal court, or having a joint court with the Village of Cottage Grove. Murray replied that joint courts are very common and can be accomplished by a board decision. A change would have to occur at the end of the term of an elected judge. It was decided that discussion of a joint Town/Village court should be included on a future joint board meeting agenda.
- IV. The Clerk asked Murray about the possibility of using special assessments to collect from a specific district for a joint recreation program. Murray will get back to the board on this.
- V. Other items discussed:
 - A. Police Department budget includes one new squad car financed entirely by the Town.
 - B. Colonial Club Budget Request
 - C. Lions Club request for funding for holiday lights – consensus to deny
 - D. Parks Department and Joint Town/Village Recreation program

The Clerk read emails in support of a new playground structure in Meadow Grove from Dena Crook and Jeannie Manthe.

Kessenich read emails in support of a new playground structure in Meadow Grove Park from Colette and Wade Steuck, and Delores and Larry Ebert

Mary Salvi clarified that the \$24,000 request includes \$18,000 for a structure, \$2,000 for installation materials, and \$4,000 for sand for all parks. She stressed that she limited her request to keep the cost down knowing that the budget would be tight.

Kessenich passed out figures for Spring/Summer 2006 Village recreation programs, showing that in 2005, when the non-resident fees were \$10 higher than resident fees, the Village collected \$2560 in upcharges. In 2006, with fees doubled to non-residents and lower participation, the upcharge resulted in \$5082 in revenue for the Village. She said Randy Margenau told her whatever the Town could do would probably be OK.

Anders stated that he had similar conversation with Margenau, with the exception that Margenau clearly expects greater funding from the Town in 2008. Anders also stated he does not support a special assessment for recreation programs.

Virgil Schroeder urged the board not to put any funds into the Village recreation program, stating that he views recreation fees as user fees, and that if the Town subsidizes the Village program, it would also have to subsidize programs in all of the other school districts represented in the Town.

Jill List stated that the Town subsidized Senior programs with \$4748 in 2006, even though not every taxpayer has a senior citizen who uses the program. She stated that the Town receives 86% of its revenue from residential property, and asked what we would have to lose by having a recreation department.

The Treasurer expressed her concern at having to explain to taxpayers why the Town favors the Monona Grove school district by paying to a recreation program that only they are likely to use, and asked what she is to tell them.

Hampton stated that he favors the idea of user fees, that when people moved to the Town, there was no recreation program.

Klinger stated he is afraid that contributing to the Village Recreation program will set a precedent for other Village ventures, such as a library and Fireman's park expansion.

Kessenich stated that Cottage Grove residents live in a community, not a municipality, and want to see more joint things. Resident vs. Non-resident fees create a wedge. She does not like the idea of not even trying a joint program, and the Village is not asking for a long-term commitment.

Hampton asked the board to pick one: either \$24,000 for the Town parks, or contributing to the Village recreation program. Consensus was to allocate \$18,000 for a playground structure in Meadow Grove Park, \$2,000 for installation materials, and \$4,000 for sand for all Town Parks.

- E. Stormwater management expenses and grant
 - F. Emergency Government - cut in half from previous discussion
 - G. Interest estimate was increased to \$23,000
 - H. Legal expenses reduced to 55,000
 - I. Highway maintenance contracts was reduced to \$150,000
- VI. **MOTION** by Hampton/Kessenich to direct the Treasurer to obtain interest and payment amounts from Wisconsin Community Bank and Bank of Sun Prairie for a loan in the amount of \$173,660 to fund the new ambulance in 2006, and in 2007, the new squad car, one-ton truck and playground structure. **MOTION CARRIED 4-0.**
- VII. The next budget workshop will be immediately following the Town Board Meeting on October 17, 2006.
- VIII. **MOTION** by Hampton/Kessenich to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 10:43 P.M.

Kim Banigan
Clerk

Approved 10/17/2006

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 17, 2006

Public Hearing – Vacation of Witte Lane

- I. Chairman Kris Hampton called the public hearing to order at 7:00 P.M. Also present were supervisors Steve Anders, Karen Kessenich and Mike Klinger, as well as Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Town Attorney Greg Murray. No members of the public had any comments on the proposed vacation Witte Lane.
- II. **MOTION** by Klinger/Anders to close the public hearing. **MOTION CARRIED 4-0.** The public hearing ended at 7:03 P.M.

Regular Town Board Meeting

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:03 P.M. at the Town Hall. Other board members present were Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Town Attorney Greg Murray.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Anders to approve the minutes of the public hearing and regular town board meeting on October 2, 2006, with the year in item VIII. B. changed from 1891 to 1981. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve minutes of Budget Workshops held on October 3rd, 9th, and 11th, with an amount of \$173,600 filled in for item VI. of the October 11th minutes. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Kessenich to approve the payment of bills corresponding to checks #13373 through #13413, also releasing check #13363. **MOTION CARRIED 4-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$709,007.26. **MOTION CARRIED 4-0.**
- IV. Public Concerns:
 - A. Don and Leslie Peckham, 4503 Baxter Road, asked the Board whether a garden shed they intend to put up on the outlot recently purchased from the Town is considered temporary or permanent, as the Declaration of Easement prohibits the construction of any permanent structures. The Board advised them that as long as it was not on a slab, and could be moved if needed, it was considered temporary.

The Peckhams also requested assistance from the police department in enforcement of the speed limit on Baxter Road, stating that speeding has become a problem and there seems to be little police presence. Hampton stated that the Police Department would be alerted to their request.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 17, 2006

- V. Road Right of Way Permits: None.
- VI. Landfill Update: None.
- VII. Consider/Approve Resolution calling on the Dane County Board of Supervisors either to handle zoning properly or stop administering it entirely. **MOTION** by Klinger/Kessenich to table until the next regular board meeting on November 6th. **MOTION CARRIED 4-0.**
- VIII. Consider/Approve revised contracts for Fire and EMS service to Pleasant Springs: **MOTION** by Anders/Kessenich to table until the Joint Town/Village Boards meeting on November 2, 2006. **MOTION CARRIED 4-0.**
- IX. Consider/Approve a Resolution to make a commitment of support to the Cottage Grove Community Library. Diane Wiedenbeck read the resolution.

Alice Miller, a 19 year Town resident, expressed her support of a library to provide a community gathering place, which she feels is currently missing in Cottage Grove. She also sees the library as providing a great opportunity for older Town residents to pass down the history of Cottage Grove to younger generations, and well as being a binding opportunity for the Town and the Village.

Peggy Jensen, who has lived in the Town since 1961 and is the Town Liaison for the Library Board, stated that it has been shown that Town residents use libraries more than Village residents do, and she would like to see the county tax dollars used to support library checkouts coming back to the community. She sees the availability of computer resources in the library as valuable to Town residents. She said that Town residents have already donated to the library, and urged the Town Board to support the resolution to demonstrate that they are in favor of the library.

MOTION by Anders/Klinger to approve as Resolution 2006-13. **MOTION CARRIED 4-0.**

- X. Consider/Approve a resolution to accept the dedication, conveyance, reservation and transfer of land from the Klawitter property for Hubred Lane. **MOTION** by Kessenich/Klinger to accept dedication for a cul-de-sac and to make Hubred Lane a 4-rod road, as described by the resolution and attached map and legal description. This will be Resolution 2006-14. **MOTION CARRIED 4-0.**
- XI. Consider/Approve a resolution to vacate Witte Lane: The clerk explained that the petitioners have been told they need a better map and legal description to show the width of the road to be vacated, and that the right-of way of Hope Road is not to be vacated. **MOTION** by Kessenich/Anders to approve as Resolution 2006-15, with the condition that an acceptable map and legal description are provided by the petitioner. **MOTION CARRIED 4-0.**
- XII. Discuss developers agreement for Skaar Road: Eric and Arden Sandsness from Royal Oak Engineering appeared representing Jim and Nola Skaar, who were also present in the audience. Hampton reported that he received a letter from Michelle Schmidt, 1884 Skaar Road, stating that she is not willing to vacate the west end of Skaar Road. Hampton pointed to item 9. on

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 17, 2006

page 15 of the Development Agreement for James N. and Nola J. Skaar Certified Survey Map, dated February 28, 2006, which states that Skaars will pay for the vacation of the west end of Skaar Road. Without Schmidt's consent, the vacation is not possible, so Hampton asked what should be done with that portion of the road, which has never been improved?

Jeff Smith said that if it is to remain a Town road, it should be brought up to Town Road standards. He indicated that Skaars had failed to contact Schmidt regarding the vacation or even the construction on the road, which was of great inconvenience to her.

Greg Murray stated that since approval of the Developers Agreement depended on conditions being met, and it appears the condition of vacation of the west end of Skaar Road cannot be met, it is appropriate to amend the agreement to set out new terms. He saw the Skaar's choices as: 1) Bring the road up to Town road standards; or 2) Work out the vacation with Schmidt. Murray asked Schmidt if she was dead set against the vacation, or if there was still a chance to work things out. Schmidt replied that the lack of communication so far makes her leary of any kind of joint driveway agreement, which would be necessary to give Skaars access to farm buildings also at the west end of Skaar Road, and she is also concerned about her property value or future sales potential with a joint driveway. Eric Sandsness stated it would be possible to construct a driveway entirely on Schmidt's property, and asked the Board for time to work this out.

Hampton stated that the Town's other problem with the Developers Agreement is that under section 2.2, Skaars were to notify the Town Engineer 14 days prior to beginning any work, which they did not do. Eric Sandsness stated that this was the first he had heard about this matter.

MOTION by Anders/Klinger to table until the November 6th Town Board meeting, giving the parties time to work out the road vacation. In the meantime, Smith should contact the Town Engineer for options for bringing the road up to Town road standards in case agreement between the parties is not reached. **MOTION CARRIED 4-0.**

- XIII. Discuss Petition for Direct Annexation for 41.075 acres owned by Jeffrey S. Rosenberg and David P. Simon: Hampton presented a letter written by Town Engineer Warren Myers in 2004 when the previous owners petitioned to annex the same parcel. The primary concern in the letter was of traffic on Town Roads in the adjacent Ravenwood Estates sub-division. Also of concern is stormwater runoff and its potential effects on private wells in the Town. Hampton stated that development of this parcel would increase the demand for a stop light at Damascus and County Road BB. Anders stressed his concern over increased traffic in Ravenwood, especially considering higher speed limits on Town roads between there and Interstate I-94.

Village Trustees Randy Margenau and Diane Wiedenbeck were in attendance. Margenau asked for remedies for Town concerns regarding the annexation. Wiedenbeck stated that petitioners would not be willing to spend money on feasibility studies without assurance that the annexation would occur. Kessenich expressed concern over Ravenwood landowners losing their front yards if Town roads were improved for additional traffic from new development.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND REGULAR BOARD MEETING
OCTOBER 17, 2006

Anders left the room

- XIV. Consider/Approve procedures for collection of 2006 property taxes: The Treasurer presented a document showing that the Dane County Treasurer would charge 75 cents per tax bill to collect and process 2006 Real Estate taxes. **MOTION** by Klinger/Kessenich to have 2006 Real Estate Taxes collected and processed by the Dane County Treasurer, at a cost of 75 cents per tax bill. **MOTION CARRIED 3-0.**

Anders returned.

- XV. Consider/Approve additional poll workers for November 7, 2006 election. **MOTION** by Klinger/Hampton to approve Joseph Kessenich and Margaret Williams as poll workers for the November 7, 2006 election. **MOTION CARRIED 4-0.**

- XVI. **MOTION** by Klinger/Anders to move to closed session pursuant to Wisconsin Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: EMS. **Roll call vote – all ayes.** The Board went into closed session at 8:44 P.M.

- XVII. **MOTION** by Kessenich/Klinger to reconvene to open session. **Roll call vote – all ayes.** The Board reconvened to open session at 9:16 P.M. There was no action as a result of the closed session.

- XVIII. Clerk's Report:

A. Dane County Ordinances: None.

B. The clerk has a copy of the Wisconsin Department of Administration's approval of the Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes.

- XIX. Board Reports:

A. Hampton has an invitation for Colonial Club's Gatsby celebration.

- XX. Committee Reports

A. Deer-Grove EMS – No Report.

B. Emergency Government: Kessenich reported that members are working on their job assignments.

- XXI. **MOTION** by Kessenich/Klinger to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:17 P.M.

Kim Banigan

Clerk

Approved 11-06-2006

RESOLUTION NO. 2006 – 13
A RESOLUTION TO MAKE A COMMITMENT OF SUPPORT TO THE
COTTAGE GROVE COMMUNITY LIBRARY

Whereas, the Village of Cottage Grove Board of Trustees (Village Board) unanimously appointed an Ad Hoc Library Committee (Committee) which included three Town of Cottage Grove (Town) residents on May 17, 2004, and

Whereas, the Committee by unanimous vote named the new library the Cottage Grove Community Library; and

Whereas, on October 13, 2004, in a survey of patrons using the Dane County Bookmobile, and on November 2, 2004 in a survey of Town residents voting in the Fall Election, 96.2% said a library was somewhat to very important, and

Whereas, the Committee formally petitioned the Village Board to approve a letter requesting approval from the Wisconsin Department of Public Instruction (DPI) for the feasibility and desirability of legally establishing a municipal library in Cottage Grove, and

Whereas, the Village Board unanimously approved this request on December 20, 2004, and

Whereas, on January 7, 2005, DPI returned a favorable opinion to the Village and Committee's request to establish a municipal library, and

Whereas, on January 17, 2005, the Village Board unanimously approved the appointment of a seven-member Library Board including two Town citizens, and

Whereas, the Town Board at its regular meeting of March 20, 2006, was presented with the Cottage Grove Community Library Program Statement, and on August 16, 2006, the Addendum to the Program Statement, and

Whereas, the Town Board has received reports periodically from the Library Board Town Liaison, and

Whereas, in August 2006 an outreach survey study which included 18 Town citizens and 3 Town Supervisors, was conducted by Church Street Associates with a near unanimous agreement that a public library with community center facilities would be a beneficial addition to the Village and Town, and more than three-fourths of all respondents said they will personally pledge to a library building campaign; and

Whereas, the Town Board has regularly given its support for a community library since May, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove hereby gives its enthusiastic support to the Library demonstrating to the citizens of the Town and Village of Cottage Grove that they stand behind the Library Board and its efforts to build the Cottage Grove Community Library, and

BE IT FURTHER RESOLVED, that this action is designed to provide a basis of governmental support for the Cottage Grove Community Library and the private portion of the Capital Campaign.

Adopted by the Town Board of Cottage Grove, Dane County, Wisconsin, at its regular meeting on the

October 17, 2006.

(Signed copy available in the Clerk's Office)

TOWN OF COTTAGE GROVE

Attest:

Kris Hampton, Town Chair

Posted: October 20, 2006

Resolution 2006-14

**TOWN HIGHWAY
DEDICATION, DEED AND
CONVEYANCE**

Document Number

Kyle O. Klawitter and Kathryn Olson-Klawitter (“Owners”) own the following real estate described as the Northwest ¼ of the Southeast ¼ and the North 10 acres of the Southwest ¼ of the Southeast ¼ of Section 23, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County Wisconsin (“Real Estate”).

Owners, for good and valuable consideration, hereby dedicate, convey, reserve and transfer a portion of the Real Estate to the Town of Cottage Grove, a Wisconsin body politic and corporate (“Town”), which portion is to be used for Town highway purposes, and which portion of real estate is more fully described below.

RECORDING AREA

NAME AND RETURN ADDRESS

Town Clerk
Town of Cottage Grove
4058 CTH N
Cottage Grove, WI 53527

018/0711-234-9000-3 & 018/0711-234-8500-0

PARCEL IDENTIFIER NUMBER (PIN)

The specific portion of the Real Estate to be dedicated, conveyed, reserved and transferred to the Town by Owners is a portion of land to be used as Hubred Lane, a Town highway, whose legal description is specifically described on Exhibit A as “Description: Road Dedication”, which is attached hereto and fully incorporated herein; a map of the portion of the Real Estate to be dedicated as Hubred Lane is attached hereto as Exhibit B and fully incorporated herein (“Highway”).

The recording of this conveyance is exempt from the transfer return and transfer tax fee requirement pursuant to Wis. Stats., §§ 77.25 (2r) and 77.255.

Owners agree and acknowledge that they are authorized to make this conveyance.

The Town is authorized to accept this dedication, conveyance, reservation and transfer of the Highway for highway purposes pursuant to Wis. Stats § 66.1024 and § 60.50.

The Town accepted this dedication, conveyance, reservation and transfer of the Highway by duly approved resolution of the Town Board dated October 17, 2006 and approved upon a vote of 4 for and 0 against.

(Signed Copy Available in the Clerk’s Office)

Dated this _____ day of _____, 2006.

Kyle O. Klawitter

Kathryn Olson-Klawitter

ACKNOWLEDGMENT

STATE OF WISCONSIN)
COUNTY OF DANE)ss.

Personally came before me, this _____ day of _____, 20____, the above-named Kyle O. Klawitter and Kathryn Olson Klawitter to me known to be the persons who executed the foregoing instrument and acknowledged the same.

(print name)

Notary Public, State of Wisconsin.

My commission expires on _____.

Certification of the acceptance of the dedication, conveyance, reservation and transfer of the Highway by the Town is acknowledged below.

Dated this _____ day of _____, 2006.

Town of Cottage Grove

By: _____
Kris Hampton, Cottage Grove Town Chair

Attested: Kim Banigan, Cottage Grove Town Clerk

AUTHENTICATION

Signatures of Kris Hampton and Kim Banigan authenticated this _____ day of _____, 2006.

Constance L. Anderson or Gregory D. Murray
MEMBER: State Bar of Wisconsin

ACKNOWLEDGMENT

STATE OF WISCONSIN)
COUNTY OF DANE)ss.

Personally came before me, this _____ day of _____, 2006, the above-named Kris Hampton and Kim Banigan to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____(print name)
Notary Public, State of Wisconsin.
My commission expires on _____.

[Use Black Ink Only]

Drafted by:
Attorney Gregory D. Murray
Anderson & Kent, S.C.
1 N. Pinckney Street, Suite 200
Madison, Wisconsin 53703

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 17, 2006

I. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Chairman Hampton called the meeting to order at 9:20 P.M. in the Town Hall. Other board members present: Supervisors Steve Anders, Karen Kessenich and Mike Klinger. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Town resident Mary Salvi.

II. The Clerk presented a revised budget worksheet incorporating the changes from the October 11, 2006 budget workshop.

III. Hampton presented a proposal from Ehlers and Associates, Inc. to refinance the Town's bond with an additional \$160,000 at an interest rate under 4%. The Village has also offered to allow the Town to go together on a loan for the new ambulance at 5% interest for 5 years. The Treasurer presented proposals from the Wisconsin Community Bank and Bank of Sun Prairie with rates as follows:

Wisconsin Community Bank: 3 years at 5%, 5 years at 5.249%
Bank of Sun Prairie: 3 years at 5.25%, 5 years at 5.6%

The Bank of Sun Prairie also indicated they may waive closing fees.

IV. The Clerk was directed to ask Ehlers and Associates, Inc. to have a representative at the next Budget Meeting on October 26th, and to ask them for correct agenda language for the board to accept a bond proposal at that meeting.

V. Kessenich asked if after taking the new truck, police car and playground equipment out of the 2007 budget and inserting the debt service, there would be any money left to fund a joint recreation program with the Village. She stated that the Town is funding programs for citizens over 55 years of age, but not funding programs for people under 55.

VI. **MOTION** by Klinger/Kessenich to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 10:09 P.M.

Kim Banigan
Clerk

Approved 11/06/2006

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 26, 2006

- I. It was determined a quorum was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way. Chairman Hampton called the meeting to order at 7:00 P.M. in the Town Hall. Other board members present: Supervisors Dave Morrow, Steve Anders, and Karen Kessenich. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Village Trustee Randy Margenau.
- II. Greg Johnson of Ehlers & Associates, Inc. presented a financial analysis (Appendix A) describing the Town's current debt service obligations and identifying the impact of issuing new debt for refunding purposes and new projects (Attached as Exhibit A). The Board discussed Option 2, which included refunding of the 1999 G.O. Refunding Bonds and adding \$160,000 in new money. Johnson indicated that the spend-down requirements for the new money would be 12 or 18 months.

Hampton read Resolution 2006-15 Authorizing Ehlers and Associates, Inc. to Negotiate a Proposal for Not to Exceed \$1,750,000 General Obligation Promissory Notes of the Town of Cottage Grove, Wisconsin. **MOTION** by Hampton/Anders to approve the Resolution as read with inserted language designating new funds to finance Playground Equipment, Police Squad Car, Public Works Vehicles, Ambulance and related apparatus. **MOTION CARRIED 4-0.** After further discussion, **MOTION** by Hampton/Anders to amend the designation for new funds to include both Public Works Vehicles and equipment. **MOTION CARRIED 4-0.**

Johnson stated that under financing option #2, \$1262 could be put on line 12 of the Town's 2006 Levy Limit Worksheet as an increase in debt service for debt issued prior to July 1, 2005. He further estimated that \$25,000 could be put on line 13 of the worksheet as an increase in debt issued after July 1, 2005. He will return either on November 6th or 20th with the completed proposal.

- III. The Clerk passed out a budget worksheet including all changes discussed at the previous meeting, and the Board stepped through it making the following adjustments:
 - A. \$160,000 was added to proceeds from promissory notes to account for the new money in II. above.
 - B. Interest and Principal amounts under Debt Service were adjusted to reflect Option #2 as presented in II. above.
 - C. \$96,000 was added to EMS Capital Outlay.
 - D. \$21,500 was put in Law Enforcement Capital Outlay for a new squad car, and subtracted from 51010 Police Wage & Invoice Payments, where it had been erroneously placed before.
 - E. Parks and Recreation:

TOWN OF COTTAGE GROVE
BUDGET WORKSHOP
OCTOBER 26, 2006

1. Smith stated that weather has not permitted blacktopping of a park that was planned this year, and has secured agreement from the contractor to hold the price for next year at \$3350, so park expense was increased by \$3350 for 2007.
2. Kessenich brought up the subject of funding a joint recreation program with the Village, stating that the Town funds programs for senior citizens, and should also fund programs for children. Hampton asked Randy Margenau what his final offer was, and Margenau replied \$8,000. The Board decided to add a new budget expense category for recreation, and put \$9000 in it for 2007: \$8000 to fund the joint recreation program with the Village, and \$1000 to reserve for reimbursing Town residents who are required to pay non-resident fees for recreation programs in school districts other than Monona Grove. Margenau stated that the \$8000 would entitle Town residents to participate in Village recreation programs at resident cost, and allow for two Town representatives on the recreation committee.

F. The Clerk was instructed to make adjustments as discussed, and put any unallocated funds back into 52000 Highway Maintenance Contracts.

- IV. **MOTION** by Hampton/Anders to approve the 2006 payable 2007 Town tax levy at \$1,375,198, resulting in a mill rate of 4.44. **MOTION CARRIED 4-0.**
- V. 2007 Dane County Towns Association Dues were approved at \$2,200, which was the same amount already budgeted for.
- VI. **MOTION** by Morrow/Anders to set the date of the Public Hearing and Special Meeting of the Electors to adopt the 2006 payable 2007 town levy for November 20, 2006 at 7:00 P.M. at the Town Hall. **MOTION CARRIED 4-0.**
- VII. **MOTION** by Hampton/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 9:53 P.M.

Kim Banigan
Clerk

Approved 11/06/2006

Chairman Kris Hampton introduced the following resolution and moved its adoption:

RESOLUTION NO. 2006-15

**RESOLUTION AUTHORIZING EHLERS AND ASSOCIATES, INC.
TO NEGOTIATE A PROPOSAL FOR NOT TO EXCEED
\$1,750,000 GENERAL OBLIGATION PROMISSORY NOTES
OF THE TOWN OF COTTAGE GROVE, WISCONSIN**

WHEREAS, Section 67.12(12), Wis. Stats., authorizes the Town of Cottage Grove to issue General Obligation Promissory Notes; and

WHEREAS, the Town needs to finance public improvements including Playground Equipment, Police Squad Car, Public Works Vehicles and Equipment, Ambulance and Related Apparatus; and

WHEREAS, the Town has determined that it is necessary and desirable to refund the General Obligation Refunding Bonds dated February 1, 1999, maturing in the years 2007 through 2013; and

WHEREAS, Ehlers and Associates, Inc. is the financial advisor for the Town of Cottage Grove;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Town of Cottage Grove, Dane County, Wisconsin, that Ehlers and Associates, Inc. be authorized to negotiate a proposal for the purchase of not to exceed \$1,750,000 General Obligation Promissory Notes of the Town of Cottage Grove.

BE IT FURTHER RESOLVED, that Ehlers & Associates is authorized to prepare an Official Statement in behalf of the issuer in accordance with SEC Rule 15c2-12.

The motion for the adoption of the foregoing resolution was duly seconded by Supervisor Steve Anders and upon a vote being taken, the following voted in favor thereof:

David Morrow
Steve Anders
Kris Hampton
Karen Kessenich

and the following voted against the same:

NONE

whereupon said resolution was declared passed and adopted.

Adopted this 26th day of October, 2006.

(Signed copy available in the Clerk's office)

Kris Hampton, Town Chairman

Attest:

Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 6, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:00 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Town Attorney Greg Murray.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Klinger/Anders to approve the minutes of the public hearing and regular town board meeting on October 17, 2006 as printed. **MOTION CARRIED 4-0-1** (Morrow abstained).
 - B. **MOTION** by Klinger/Kessenich to approve minutes of Budget Workshop held on October 17, 2006 as printed. **MOTION CARRIED 4-0-1** (Morrow abstained).
 - C. **MOTION** by Anders/Morrow to approve the minutes of the Budget Workshop held on October 26, 2006 as printed. **MOTION CARRIED 4-0-1** (Klinger abstained).
 - D. **MOTION** by Anders/Klinger to approve the closed session minutes of October 17, 2006 as printed, and to keep the minutes closed until the matter is resolved. **MOTION CARRIED 4-0-0** (Morrow abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Klinger/Kessenich to approve the payment of bills corresponding to checks #13414 through #13469, and directing the Clerk to bill Kyle Klawitter for the amount on check # 13428, with a suggestion that he submit it to his insurance company. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Klinger to approve the net worth at \$680,024.91 **MOTION CARRIED 5-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Landfill Update: None. The Landfill Update item should be eliminated from the Unfinished Business area on future agendas. Updates will be discussed under Committee Reports – Joint Landfill Committee.
- VII. Discuss Developers Agreement for Skaar Road: Attorney Lan Waddell appeared representing James and Nola Skaar, and presented a survey map and aerial photographs of Skaar and Skarstinden Roads. Town Attorney Greg Murray also presented an aerial photo, along with a cost estimate for bringing the entire length of Skaar Road to Town Road standards. James and Nola Skaar and Michelle Schmidt were also in attendance.

Waddell stated that his conversations with Schmidt's attorney revealed that Schmidt is not necessarily opposed to the vacation of the west end of Skaar Road, but wants perpetual maintenance and snow removal, which she is concerned would be difficult to guarantee.

Waddell stated that Skaars have proposed leaving the entire length of Skaar Road as a Town Road. They would remove a shed to make it easier for Town snow removal equipment to turn around, and

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 6, 2006

repair the portion of Skaar road torn up by construction.

Smith stated that tearing the shed down would be of no benefit as it is not in the right-of-way. Murray stated that a major reconfiguration of the road right-of-way was a possibility.

Smith pointed to minutes he had located from January 17, 1983 which stated that "any blacktop improvements made to the cul-du-sac in the future shall be at the expense of the adjacent landowners. This restriction shall become a part of the Certified Survey." Upon hearing this, Murray stated that the CSM would need to be located, then asked the Board what if any improvements would need to be made if vacation does not occur. Board consensus was that the road would need to be brought to Town road standards and blacktopped, and that regardless of what the CMS shows, the Town will not pay for the improvements.

Schmidt asked why, when due diligence was not done by one landowner, should another landowner be required to pay for the improvements?

MOTION by Hampton/Anders to table until the November 20th Regular Board Meeting pending review of the CSM. **MOTION CARRIED 5-0.**

- VIII. Consider/Approve Resolution calling on the Dane County Board of Supervisors either to handle zoning properly or stop administering it entirely. Discussion about possible repercussions to Town applicants at the County if the Town Board approves this resolution. The resolution was distributed to Dane County Towns Association members on October 20th, it is not known if any other towns have approved it. Morrow stated he would like to see more documentation or a "laundry list" of specific complaints regarding County zoning. **MOTION** by Morrow/Anders to table until the next regular board meeting on November 20th. **MOTION CARRIED 3-2** (Hampton and Kessenich opposed).
- IX. Discuss/Consider/Approve use of Cedar Knolls Park for Pee Wee Football Practice in September and October of 2007: Hampton read a letter from Town resident Brad Bliss seeking permission to use Cedar Knolls Park for Pee Wee Football Practice in 2007 and hopefully beyond. **MOTION** by Morrow/Klinger to allow Pee Wee Football Practice in Cedar Knolls park in 2007, noting that no waste receptacles are provided in the park, so users must clean up after themselves and take everything with them when they leave. The League must also provide proof of insurance to the Town. **MOTION CARRIED 5-0.**
- X. Consider/Approve a Resolution Authorizing the Town of Cottage Grove to Borrow the Sum of \$1,325,000 by Issuing General Obligation Promissory Notes Pursuant to Section 67.12 (12) of the Wisconsin Statutes and Authorizing Sale of the Notes: Greg Johnson of Ehers & Associates, Inc. presented the Sale Results. The Notes were purchased by Bankers' Bank in Madison. Spend Down Requirements were also spelled out in the Sales Results document. The earliest call date for the Notes is April 1, 2011. **MOTION** by Kessenich/Klinger to approve Resolution 2006-16 Authorizing the Town of Cottage Grove to Borrow the Sum of \$1,325,000 by Issuing General Obligation Promissory Notes Pursuant to Section 67.12 (12) of the Wisconsin Statutes and Authorizing Sale of the Notes. **MOTION CARRIED 5-0.** Hampton and Banigan signed the Proposal. Johnson stated that the targeted closing date is November 28, 2006.

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 6, 2006

- XI. Discuss/Consider/Approve 2007 Deer-Grove EMS Budget: **MOTION** by Hampton/Anders to approve the 2007 Deer-Grove EMS Budget as Presented. **MOTION CARRIED 3-2** (Anders and Kessenich opposed).
- XII. Appoint representative for the Colonial Club Advisory Council: **MOTION** by Kessenich/Anders to approve Rita Odegaard as Town Representative for the Colonial Club Advisory Council. **MOTION CARRIED 5-0.**
- XIII. Appoint representatives for Joint Village/Town Recreation Program: **MOTION** by Hampton/Klinger to appoint Mary Salvi and Karen Kessenich as Town representatives for the Joint Village/Town Recreation Committee. **MOTION CARRIED 4-0-1** (Kessenich abstained).
- XIV. Clerk's Report: None.
- XV. Board Reports:
- A. Hampton:
1. A letter from the Town of Blooming Grove indicates that 7 municipalities have approved financial support of the EMS Regionalization project. The Dane County EMS Commission sent notice that they will be calling to set up a time to deliver their Regionalization Presentation.
 2. Results of Geo Trans, Inc. testing of private wells as part of the Hydrite settlement have been received. The Clerk was directed to send copies to owners of the tested wells, as well as to send a full set of results to Kathy Christoph.
 3. The Town of Blooming Grove/City of Madison cooperative plan was approved on October 3, 2006.
 4. A Draft Facilities Study conducted by the Village, with partial funding by the Town due to the inclusion of the Emergency Services Building, is available in the Town Office.
 5. Hampton gave a list of the Town of Medina's problems with Dane County zoning to Morrow.
- XVI. Committee Reports
- A. Deer-Grove EMS – Next meeting on November 16th.
- B. LEC – Creation of a Police Commission was reviewed at the Joint Town/Village meeting, and should be included on the next Town Board agenda.
- XVII. **MOTION** by Klinger/Hampton to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:37 P.M.

Kim Banigan
Clerk

Approved 11/20/2006

Resolution No. 2006-16

A RESOLUTION AUTHORIZING THE TOWN OF COTTAGE GROVE
TO BORROW THE SUM OF \$1,325,000 BY ISSUING
GENERAL OBLIGATION PROMISSORY NOTES PURSUANT TO
SECTION 67.12(12) OF THE WISCONSIN STATUTES
AND AUTHORIZING THE SALE OF THE NOTES

WHEREAS the Town of Cottage Grove, Dane County, Wisconsin (sometimes hereinafter called the "Town") is presently in need of the sum of One Million Three Hundred Twenty-Five Thousand Dollars (\$1,325,000) for public purposes, including refunding obligations of the Town, including interest on them and financing playground equipment, a police vehicle, public works vehicles and equipment and an ambulance and related equipment; and

WHEREAS the Town Board deems it necessary and in the best interest of the Town that the monies needed for such purposes be borrowed by issuing general obligation promissory notes pursuant to the provisions of Section 67.12(12), Wis. Stats., upon the terms and conditions hereinafter provided;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, that:

Section 1. Sale of Notes. The Town shall sell and deliver its \$1,325,000 General Obligation Promissory Notes (the "Notes"), issued for the purposes above stated, to Bankers' Bank (the "Purchaser") for the purchase price set forth in the Proposal Form attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal"). The Proposal is hereby approved, and the appropriate Town officials are hereby authorized and directed to execute the same.

Section 2. The Notes. The Chairperson and Town Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the Town. The Notes shall be negotiable, general obligation promissory notes of the Town, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated November 15, 2006. The Notes shall bear interest at the rates per annum set forth in the Proposal and shall mature on April 1 of each year, in the years and principal amounts set forth in the Proposal and the debt service schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule").

Interest on the Notes shall be payable on April 1 and October 1 of each year, commencing April 1, 2007. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The Notes maturing on April 1, 2012 and thereafter are subject to redemption prior to maturity, at the option of the Town, on April 1, 2011 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the Town and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 3. Form of Notes. The Notes shall be in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 4. Tax Provisions.

(A) Direct, Annual Irrepealable Tax. For the purpose of paying the principal of and interest on the Notes as the same become due, the full faith, credit and resources of the Town are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the Town a direct, annual, irrepealable tax in the years 2006 through 2012 for payment of principal of and interest on the Notes in the years 2007 through 2013 in the amounts set forth in the Schedule.

(B) Tax Collection. The Town shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried into the tax rolls of the Town and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be reduced in any year by the amount of any surplus money in the Debt Service Account created in Section 5(A) hereof.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the Town then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 5. Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the Town, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Sinking funds established for obligations previously issued by the Town may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there be and there hereby is established a separate and distinct account designated as the "Debt Service Account for \$1,325,000 'General Obligation Promissory Notes,' dated November 15, 2006" (the "Debt Service Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The Town Treasurer shall deposit in such Debt Service Account (i) all accrued interest received by the Town at the time of delivery of and payment for the Notes; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Notes when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the

Notes when due; (iv) any premium which may be received by the Town above the par value of the Notes and accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further deposits as may be required by Sec. 67.11, Wis. Stats.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the Town, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of America, in other obligations of the Town or in other investments permitted by law, which investments shall continue to be a part of the Debt Service Account.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the Town, unless the Town Board directs otherwise.

Section 6. Proceeds of the Notes. All monies received by the Town upon the delivery of the Notes to the Purchaser thereof, except for accrued interest and premium, if any, shall be deposited by the Town Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the Town and shall be used for no purpose other than the purposes for which the Notes are issued. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the Town, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 8. Persons Treated as Owners; Transfer of Notes. The Town Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any 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 any 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.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Town Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and Town Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity, and the Town Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Town Clerk shall cancel any Note surrendered for transfer.

The Town shall cooperate in any such transfer, and the Chairperson and Town Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record dates for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the Town at the close of business on the corresponding record date.

Section 9. Compliance with Federal Tax Laws. (a) The Town represents and covenants that the projects financed by the Notes and the Refunded Obligations defined in Section 12 and their ownership, management and use will not cause the Notes or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The Town further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The Town further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The Town Clerk or other officer of the Town charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the Town certifying that the Town can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The Town also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the Town will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended, relating to the ability of financial institutions to deduct from

income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York, the Town agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the Town and on file in the Town Clerk's office.

Section 12. Redemption of Refunded Obligations. The Town has outstanding its General Obligation Refunding Bonds, dated February 1, 1999 (the "1999 Bonds"). The 1999 Bonds maturing in the years 2007 through 2013 (the "Refunded Obligations") are called for prior payment on December 12, 2006 at the price of par plus accrued interest to the date of redemption.

The Town Clerk shall cause timely notice of the call of the Refunded Obligations to be redeemed to be given by mailing a notice thereof, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference, by registered or certified mail no later than November 12, 2006, to the registered owner of each Refunded Obligation to be redeemed at the address shown on the registration books.

In addition to the official notice of redemption provided for in the paragraph above, the Town Clerk shall cause further notice of the redemption of the Refunded Obligations to be given on behalf of the Town to all nationally recognized municipal securities information repositories, to all registered securities depositories in the business of holding substantial amounts of obligations of types such as the Refunded Obligations (such depositories being Depository Trust Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the Refunded Obligations. Each further notice of redemption shall be sent by registered or certified mail, overnight express delivery, facsimile transmission or email transmission and shall contain the information set forth in the official notice of redemption provided on Exhibit D.

Section 13. Payment of Issuance Expenses. The Town authorizes the Purchaser to forward the amount of Note proceeds allocable to the payment of issuance expenses to U.S. Trust Company, Minneapolis, Minnesota on the closing date for further distribution as directed by the Town's financial advisor, Ehlers & Associates, Inc.

Section 14. Official Statement. The Town Board hereby approves the Official Statement with respect to the Notes and deems the Official Statement as "final" for purposes of SEC Rule 15c2-12. All actions taken by officers of the Town in connection with the preparation of such Official Statement are hereby ratified and approved. In connection with the closing for the Notes, the appropriate Town official shall certify the Official Statement. The Town Clerk shall cause copies of the Official Statement to be distributed to the Purchaser of the Notes.

Section 15. Undertaking to Provide Continuing Disclosure. The Town covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the

"Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data upon request and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the original purchaser(s) of the Notes on behalf of such holders (provided that the rights of the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the Town to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The Town Clerk, or other officer of the Town charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the Town's Undertaking.

Section 16. Records. The Town Clerk shall provide and keep a separate record book and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing these Notes.

Section 17. Closing. The Chairperson and Town Clerk of the Town are hereby authorized and directed to execute and deliver the Notes to the Purchaser thereof upon receipt of the borrowed funds, accrued interest to date of delivery and premium, if any. The Chairperson and Town Clerk may execute the Notes by manual or facsimile signature, but at least one of said officers shall sign the Notes manually.

The officers of the Town are hereby directed and authorized to take all steps necessary or convenient to close this issue as soon as practicable hereafter, in accordance with the terms of sale thereof; and said officers are hereby authorized and directed to execute and deliver such documents, certificates and acknowledgments as may be necessary or convenient in accordance therewith.

Adopted, approved and recorded November 6, 2006.

Chairperson

(SEAL)

Attest:

Town Clerk

EXHIBIT A
PURCHASE PROPOSAL
(SEE ATTACHED)

PROPOSAL FORM

The Board of Supervisors
Town of Cottage Grove, Wisconsin

November 6, 2006

RE: \$1,325,000 General Obligation Promissory Notes
DATED: November 15, 2006

For all or none of the above Notes, in accordance with the terms of the Global Book-Entry System as stated in this Official Statement, we will pay you \$ 1,318,375.00) plus accrued interest to date of delivery for fully registered Notes bearing interest rates and maturing in the stated years as follows:

<u>3.60</u> % due 2007	<u>3.75</u> % due 2010	<u>3.875</u> % due 2013
<u>3.65</u> % due 2008	<u>3.80</u> % due 2011	
<u>3.70</u> % due 2009	<u>3.85</u> % due 2012	

This proposal is for prompt acceptance and is conditional upon deposit of said Notes to The Depository Trust Company, New York, New York. Delivery is anticipated to be on or about November 28, 2006.

This bid is subject to the Town's covenant and agreement to enter into a written undertaking to provide continuing disclosure under Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 as described in the Preliminary Official Statement for this Issue.

We have received and reviewed the Official Statement and have submitted our requests for additional information or corrections to the Official Statement. As Syndicate Manager, we agree to provide the Town with the reoffering price of the Notes within 24 hours of the proposal acceptance.

Account Manager: Bankers' Bank By: [Signature]

Account Members:

According to our computations, the total dollar interest cost (including any discount or less any premium) computed from November 15, 2006 of the above proposal is \$ 180,328.53 and the true interest cost (TIC) is 3.963 %.

The foregoing offer is hereby accepted by and on behalf of the Board of Supervisors of the Town of Cottage Grove, Wisconsin, on November 6, 2006.

Attest: _____ By: _____

Title: _____ Title: _____

EXHIBIT B

DEBT SERVICE SCHEDULE AND IRREPEALABLE TAX LEVIES

(SEE ATTACHED)

Town of Cottage Grove, WI

\$1,325,000 General Obligation Promissory Notes

Dated: November 15, 2006

Bankers' Bank

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
11/28/2006	-	-	-	-	-
04/01/2007	180,000.00	3.600%	18,768.47	198,768.47	-
10/01/2007	-	-	21,600.63	21,600.63	220,369.10
04/01/2008	185,000.00	3.650%	21,600.63	206,600.63	-
10/01/2008	-	-	18,224.38	18,224.38	224,825.01
04/01/2009	185,000.00	3.700%	18,224.38	203,224.38	-
10/01/2009	-	-	14,801.88	14,801.88	218,026.26
04/01/2010	190,000.00	3.750%	14,801.88	204,801.88	-
10/01/2010	-	-	11,239.38	11,239.38	216,041.26
04/01/2011	190,000.00	3.800%	11,239.38	201,239.38	-
10/01/2011	-	-	7,629.38	7,629.38	208,868.76
04/01/2012	190,000.00	3.850%	7,629.38	197,629.38	-
10/01/2012	-	-	3,971.88	3,971.88	201,601.26
04/01/2013	205,000.00	3.875%	3,971.88	208,971.88	-
10/01/2013	-	-	-	-	208,971.88
Total	\$1,325,000.00	-	\$173,703.53	\$1,498,703.53	-

Yield Statistics

Accrued Interest from 11/15/2006 to 11/28/2006	1,794.05
Bond Year Dollars	\$4,517.71
Average Life	3.410 Years
Average Coupon	3.8449479%
Net Interest Cost (NIC)	3.9915930%
True Interest Cost (TIC)	3.9635848%
Bond Yield for Arbitrage Purposes	3.8037613%
All Inclusive Cost (AIC)	3.9654419%

IRS Form 8038

Net Interest Cost	3.9518815%
Weighted Average Maturity	3.410 Years

EXHIBIT C

UNITED STATES OF AMERICA
STATE OF WISCONSIN
COUNTY OF DANE
TOWN OF COTTAGE GROVE

GENERAL OBLIGATION PROMISSORY NOTE

<u>Number</u>	<u>Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>Amount</u>	<u>CUSIP</u>
R-	%		November 15, 2006	\$	

FOR VALUE RECEIVED, the Town of Cottage Grove, Dane County, Wisconsin, promises to pay to _____, or registered assigns, the principal amount of _____ DOLLARS (\$_____) on the maturity date specified above, together with interest thereon from November 15, 2006 or the most recent payment date to which interest has been paid, unless the date of registration of this Note is after the 15th day of the calendar month immediately preceding an interest payment date, in which case interest will be paid from such interest payment date, at the rate per annum specified above, such interest being payable on April 1 and October 1 of each year, with the first interest on this issue being payable on April 1, 2007.

The Notes maturing on April 1, 2012 and thereafter are subject to redemption prior to maturity, at the option of the Town, on April 1, 2011 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the Town and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. Notice of such call shall be given by sending a notice thereof by registered or certified mail, facsimile transmission, electronic transmission or overnight express delivery at least thirty (30) days prior to the date fixed for redemption to the registered owner of each Note to be redeemed at the address shown on the registration books.

Both principal hereof and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America, and for the prompt payment of this Note with interest thereon as aforesaid, and the levying and collection of taxes sufficient for that purpose, the full faith, credit and resources of the Town of Cottage Grove, Wisconsin, are hereby irrevocably pledged. The principal of this Note shall be payable only upon presentation and surrender of this Note at the office of the Town Treasurer. Interest hereon shall be payable by check or draft dated as of the applicable interest payment date and mailed from the office of the Town Treasurer to the person in whose name this Note is registered at the close of business on the fifteenth day of the calendar month next preceding each interest payment date.

This Note is transferable only upon the books of the Town kept for that purpose at the office of the Town Clerk, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Town Clerk duly executed by the registered owner or his duly authorized attorney. Thereupon a new Note or Notes of the same aggregate principal amount, series and maturity shall be issued to the transferee in exchange therefor. The Town may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Note is issued pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including refunding obligations of the Town, including interest on them and financing playground equipment, a police vehicle, public works vehicles and equipment and an ambulance and related equipment, and is authorized by a resolution of the Town Board of the Town, duly adopted by said Town Board at its meeting duly convened on November 6, 2006, which resolution is recorded in the official book of its minutes for said date.

This Note has been designated by the Town as a "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the Town, including this Note and others authorized simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that the Town has levied a direct, annual irrevocable tax sufficient to pay this Note, together with interest thereon when and as payable.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, has caused this Note to be signed on behalf of said Town by its duly qualified and acting Chairperson and Town Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

(SEAL)

TOWN OF COTTAGE GROVE,
DANE COUNTY, WISCONSIN

By _____
Town Clerk

By _____
Chairperson

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other
identifying number of Assignee

the within Note, and all rights thereunder, hereby irrevocably
constituting and appointing

Attorney to transfer said Note on the books kept for the registration thereof with full power of
substitution in the premises.

Dated:

NOTICE: The signature to this assignment must
correspond with the name as it appears upon the
face of the within Note in every particular, without
alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

EXHIBIT D

NOTICE OF FULL CALL*

Regarding

Town of Cottage Grove
Dane County, Wisconsin
General Obligation Refunding Bonds
Dated February 1, 1999

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the Town for prior payment on December 12, 2006 at the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
8/01/07	\$150,000	4.15%	221691CJ5
8/01/08	160,000	4.20	221691CK2
8/01/09	160,000	4.25	221691CL0
8/01/10	160,000	4.30	221691CM8
8/01/11	160,000	4.35	221691CN6
8/01/12	160,000	4.40	221691CP1
8/01/13	175,000	4.45	221691CQ9

The Town shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before December 12, 2006.

Said Bonds will cease to bear interest on December 12, 2006.

By Order of the
Town Board
Town of Cottage Grove
Town Clerk

Dated _____

* To be provided by registered or certified mail to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 55 Water Street, 50th Floor, New York, NY 10041-0099, not less than thirty (30) days nor more than sixty (60) days prior to December 12, 2006 and to nationally recognized municipal securities information repositories (NRMSIRs), the MSRB and any other depositories.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND SPECIAL MEETING OF THE ELECTORS
NOVEMBER 20, 2006

2007 BUDGET PUBLIC HEARING

- I. Chairman Kris Hampton called the public hearing to order at 7:00 P.M. It was determined a quorum was present and the hearing was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, as well as published on November 3, 2006 in the Wisconsin State Journal. Town Board Present: Chairman Kris Hampton, Supervisors David Morrow, Steve Anders, and Karen Kessenich. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Attorney Greg Murray, as well as those on the attached sign-in sheet.
- II. Chairman Hampton invited questions regarding the budget summary. The Clerk explained that the budget summary distributed tonight had been adjusted slightly compared to the one that has been posted. Sales results for the General Obligation Notes approved on November 6, 2006 came back with slightly lower interest rates than had been anticipated, so debt service was reduced by \$120, which was instead allocated to Highway Maintenance Contracts. There were no questions from the electors.
- III. **MOTION** by Kessenich/Anders to close the public hearing. **MOTION CARRIED 4-0.** The hearing was closed at 7:08 P.M.

SPECIAL MEETING OF THE ELECTORS

- I. The meeting was called to order by Chairman Hampton at 7:09 P.M. A quorum of the Town Board was present and the meeting was properly posted at Town Hall, Corn Palace, Gaston Road at Brown Thrush and American Way, as well as published on November 3, 2006 in the Wisconsin State Journal. Town Board present: Chairman Kris Hampton, Supervisors David Morrow, Steve Anders, and Karen Kessenich. Also present were Treasurer Debbie Simonson, Clerk Kim Banigan, Highway Superintendent Jeff Smith, Attorney Greg Murray, as well as those listed on the attached sign-in sheet.
- II. **MOTION** by Mary Salvi/Jeff Smith to adopt the 2006 town tax levy of 4.444/\$1000 of assessed value, to be paid in 2007 pursuant to s. 60.10(1)(a), Wis. Stat. **MOTION CARRIED UNANIMOUSLY.**
- III. **MOTION** by Karen Kessenich/Mary Salvi to approve the year 2007 highway expenditures of \$2987/mile pursuant to s. 82.03(2)(a). **MOTION CARRIED UNANIMOUSLY.**
- IV. **MOTION** by Anders/Morrow to adjourn. **MOTION CARRIED UNANIMOUSLY.** The meeting was adjourned at 7:13 P.M.

Kim Banigan
Clerk

Approved 12/04/2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
NOVEMBER 20, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:17 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders and Karen Kessenich. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith.
- II. Minutes of previous meeting(s):
 - A. **MOTION** by Morrow/Kessenich to approve the minutes of the November 6, 2006 meeting as printed. **MOTION CARRIED 4-0.**
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Kessenich/Morrow to approve the payment of bills corresponding to checks #13470 through #13509. **MOTION CARRIED 4-0.** The Board directed the Treasurer to request a more itemized bill from Crispell-Snyder, Inc. for Town Planner services.
 - B. The Treasurer noted that the balance sheet reflects receipt of a \$20,000 TRIP grant. **MOTION** by Anders/Morrow to approve the net worth at \$653,552.65. **MOTION CARRIED 4-0.**
- IV. Public Concerns: None.
- V. Road Right of Way Permits: **MOTION** by Anders/Kessenich to approve Verizon to jack & bore and plow for underground telephone service on Nora Road. **MOTION CARRIED 4-0.**
- VI. Cottage Grove Snowmobile Club – Snowmobile Trail plans for 2006-2007 season: Mike Northouse presented maps and landowner names and phone numbers for the proposed state trail, which will use the right-of-way of Ridge road for a short distance just south of I-94, and to cross the Glacial-Drumlin trail. A club trail is planned to run south on Baxter Road from I-94 to Double-days only. **MOTION** by Kessenich/Anders to allow the Snowmobile Club to use the right-of-way on the west side of Ridge Road in two spots for the State Trail, and to use the west side of Baxter Road for a club trail from I-94 to Doubledays. The Snowmobile Club and Doubledays must provide signage to clearly indicate that travel south from Doubledays is forbidden. **MOTION CARRIED 4-0.**
- VII. Discuss/Consider/Approve purchase of playground equipment for Meadow Grove Park: Mary Salvi presented a poster and handouts describing the proposed structure suitable for 5 – 12 year olds. The supplier has quoted her a price of \$17,695 for the structure. They also want to add a new basketball standage and replace the chain net on the existing hoop, which brings the total cost up to \$18,600. Salvi has asked the supplier to come down to the \$18,000 budgeted amount. The order must be submitted by December 22, 2006, with shipping by April 1, 2007. Hampton indicated that it could be stored in the Town Hall basement until the residents are ready to install it. Warranty is 15 years on slides and other plastics, 100 years on metal poles, and 3 years on moving parts. **MOTION** by Kessenich/Morrow to approve expenditure of \$18,000 for playground equipment at Meadow Grove Park. **MOTION CARRIED 4-0.**
- VIII. Adoption of 2007 Budget: **MOTION** by Kessenich/Hampton to adopt the budget as presented. **MOTION CARRIED 4-0.**
- IX. Correct numbering of Resolution Providing for the Vacation of Witte Lane, as approved on October 17, 2006. The Clerk stated that she had mistakenly re-used the resolution number originally assigned to the resolution. **MOTION** by Anders/Morrow to change the Resolution Providing for the Vacation of Witte Lane to 2006-17. **MOTION CARRIED 4-0.** The awaited map has been received and approved by Attorney Greg Murray, so the vacation is ready to record.

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- X. Approve Clerk attending Grant Writing USA Workshop on December 11-12, 2006. **MOTION** by Kessenich/Anders to approve the cost of tuition and lunch for the Clerk to attend the workshop both days. **MOTION CARRIED 4-0.**
- XI. Clerk's Report: The Clerk stated that she will have a list of 2007 election inspectors for approval at the December 4, 2006 meeting. If anyone would like to be considered, they should contact the Clerk before December 4th.
- XII. Board Reports:
- A. Hampton:
1. Landfill gas test results for October 19, 2006 show zero percent methane for both gas probes 8 and 9. A letter from the Wisconsin DNR indicates the approval for reducing the monitoring frequency for gas probe 8 from monthly to quarterly.
 2. The Department of Emergency Management sent notice of more NIMS training opportunities.
- B. Kessenich reported that she has graduated from the Dane County Sheriff's Department Citizen's Academy, and as a result, her name is entered into a database of those who may be called upon in a county wide emergency.
- XIII. Committee Reports
- A. Joint Town/Village Landfill Committee: At the last meeting, insurance for volunteers was upgraded. The committee is looking at changing cleaning companies.
- B. Emergency Government: Kessenich reported that at the December 14th meeting, the committee will conduct a "tabletop" – a mock emergency training exercise. The Office of Justice Assistance has identified Landmark Services Coop facilities at Hwy N and Coffeytown Road as one of two potential terrorist targets in Dane County, and will be assisting Landmark in applying for a grant to fence the entire facility.
- C. ETZ Committee: The committee has reviewed the ordinance code once, and will look at a clean copy at their December 5th meeting.
- D. Deer-Grove EMS Commission: At their December 16th meeting, the commission accepted Jess Robinson's resignation. An advertisement for a new chief is being prepared. The interview committee will include Kris Hampton, Kevin Hoey, Dr. Al Musa, along with two names from the Citizens Advisory Board. Kevin Hoey is waiting for clarification as to any possible application of the \$14,000 restocking fee for the ambulance if delivery is taken in May of 2007. Anders asked the status of paid EMS Staff as of January 1, 2007. Hampton stated that Interim Chief Kim Jack has been informed that everyone has a job.
- XIV. **MOTION** by Morrow/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 8:41 P.M.

Kim Banigan
Clerk

Approved 12-04-2006

TOWN OF COTTAGE GROVE
REGULAR BOARD MEETING
DECEMBER 4, 2006

- I. It was determined that a quorum was present, and the meeting had been properly posted at Town Hall, Corn Palace, American Way and Gaston Road at Brown Thrush. Chairman Hampton called the meeting to order at 7:02 P.M. at the Town Hall. Other board members present were Dave Morrow, Steve Anders, Karen Kessenich, and Mike Klinger. Also present were Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Attorney Greg Murray.
- II. Minutes of previous meeting(s): **MOTION** by Morrow/Anders to approve the minutes of the Public Budget Hearing, Special Meeting of the Electors, and Regular Board Meeting, all held on November 20, 2006, as printed. **MOTION CARRIED 4-0-1** (Klinger abstained).
- III. Finance Report and Approval of Bills:
 - A. **MOTION** by Morrow/Kessenich to approve the payment of bills corresponding to checks #13510 through #13556. **MOTION CARRIED 5-0.**
 - B. **MOTION** by Anders/Morrow to approve the net worth at \$1,952,668.93. **MOTION CARRIED 5-0.**
 - C. The Treasurer requested that fourth quarter per diems and 2006 committee per diems be turned in by December 29, 2006.
- IV. Public Concerns: None.
- V. Road Right of Way Permits: None.
- VI. Discuss Developers Agreement for Skaar Road: Attorney Greg Murray stated that the CSM in question at the November 6, 2006 meeting had been located, and does indicate that “Any future blacktop improvements to the cul-du-sac are to be borne by the adjacent land owners”. Negotiations are in progress between the affected land owners. Murray recommended that the Board choose a later meeting date to take action, and direct Murray to send a letter to the land owners’ attorneys advising them that they have until such date to reach a conclusion. **MOTION** by Kessenich/Klinger to table the issue until the February 5, 2006 Town Board Meeting. **MOTION CARRIED 5-0.** Murray was directed to send a the letter to the attorneys representing the affected land owners. Michelle Schmidt and Nola Skaar were in attendance, but made no comment.
- VII. Plan Commission Recommendations:
 - A. Kevin & Kathy Hicks (Eleanor Hicks, Owner) – 3807 W. Jargo Road – Zone Change – RH-1 to R-1 for +/- 1 acre. Intended land use to build a single family home to be able to help Kevin’s mother. Kessenich inquired about the procedure for approving a variance to the RDU requirement, and Hampton, Anders, Morrow and Murray explained that the variance provision is intended to allow for sub-division of large residential parcels when purchase of a development right would be cost prohibitive. Each variance is considered on its own merits, but generally such things as history of ownership of the property and zoning uses must be considered. There was further discussion about a joint vs. separate driveways, with both the Town Board and the Hicks expressing a preference for a shared driveway. It was noted that since the driveway for the new parcel will exceed 200 feet, it must be built to

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town road specifications. **MOTION** by Morrow/Anders to approve the Plan Commission Recommendation to grant the variance from the RDU requirement based on continuous ownership since 1981, family arrangement and history of the property, and to split off +/- 1 acre of the 2.68 acres currently zoned RH-1, creating a R-1 parcel, with the remaining +/- 1.6 acres also changed to R-1. The rezone is conditioned upon a recorded driveway agreement, with a copy provided to the Town Clerk. **MOTION CARRIED 4-1.** Anders opposed.

- VIII. Consider/Approve a street Light at the corner of Gaston and Buss Roads: Smith reminded the board that all current streetlights at town road intersections are paid for by special charges to land owners. The Town does pay for some street lights where town roads intersect with county roads. **MOTION** by Klinger/Kessenich to deny the request for a street light at the corner of Gaston and Buss Roads. **MOTION CARRIED 5-0.**
- IX. Discuss/Consider/Approve Resolution for Creation of Police Commission: Hampton explained that the Village expects to surpass a population of 5500 in 2007, and by state statute will then be required to have a police commission. The Village attorney drafted a joint resolution for creation of the police commission based on LEC discussion. The commission is proposed to include 4 appointed members, 2 each from the Town and Village of Cottage Grove. None of the appointees may be elected officials. The commission would have hiring, firing and disciplinary powers only, and the Police Disciplinary Committee would be discontinued. Hampton questioned when the appointments should be made, since they are empowered upon appointment. Consensus was that appointments should occur after 2007 scheduled hiring in January, and possibly even after scheduled hiring for September, since there would not be time for a new commission to get up to speed. There was some confusion about the statute references in the resolution as drafted. No action was taken.
- X. Discuss/Consider Action on Cottage Grove EMS Ambulance Purchase: Hampton reported that Kevin Hoey received an email from Wheeled Coach stating that there would be a \$10,925 cancellation fee for the ambulance. This matter will be discussed with the Village Board on December 7th, and a meeting to discuss the future of Deer-Grove EMS with Deerfield is pending. No action was taken at this time.
- XI. Approval of Election Inspectors for 2007: The clerk handed out a list of potential election inspectors for 2007, explaining that the appointment was just for one year since the Election Board is changing over to making appointments in Odd years in the future. **MOTION** by Klinger/Kessenich to approve the list of election inspectors for 2007. **MOTION CARRIED 5-0.**
- XII. Set date for first Town Board Meeting in January: **MOTION** by Anders/Klinger to hold the first Town Board Meeting in January on Tuesday, January 2, 2007. **MOTION CARRIED 5-0.**
- XIII. Clerk's Report: None.

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REGULAR BOARD MEETING
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XIV. Board Reports:

A. Hampton:

1. Dane County Planning and Development's Regional Trends 2005 is available in the Town Office.
2. A General Permit to Discharge Under the Wisconsin Pollutant Discharge Elimination System General Permit No. WI-s050075-1 has been received, which authorizes and regulates discharge from the Town's Municipal Separate Storm Sewer System. An accompanying letter from the DNR states that membership or support of the Madison Area Municipal Storm Water Program is required in order for the Town to receive credit for their educational efforts. The membership fee is \$1200. The Board would like to have Chuck Nahn come to the second town board meeting in January to explain requirements of the permit.
3. The Madison Metropolitan Area & Dane County 2007-2011 Transportation Improvement Plan is available in the Town Office.

XV. Committee Reports:

A. Joint Town/Village Landfill Committee: Strand Associates sent a sample of a letter sent to homeowners explaining that gas probes 8 and 9 will now be sampled on a quarterly basis.

B. Law Enforcement Committee: None.

XVI. **MOTION** by Morrow/Klinger to adjourn. **MOTION CARRIED 5-0.** The meeting was adjourned at 8:48 P.M.

Kim Banigan
Clerk

Approved 1/2/2007