

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JANUARY 6, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, and Police Chief Chris Hughes. Steve Anders arrived at 7:03 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the December 16, 2013 Public Hearing and Town Board Meeting as printed. **MOTION CARRIED 4-0.**

(Anders arrived)

- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #21837-21890 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of December per diems as presented, and payment of \$2,904.00 to Tom Viken for December building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations:
 1. Village of Cottage Grove, Applicant, KLM Grove Holdings, LLC, Owner: Parcel 0711-042-8001-0, located North of 4713 County Road N: requesting rezone of 12.196 acres from A-1EX to A-4 for zoning compliance for existing land uses: Dan Higgs of MSA was present to represent the Village of Cottage Grove, however the board had no questions for him. **MOTION** by DuPlayee/Fonger to accept the Plan Commission's recommendation to approve the rezone of 12.196 acres from A-1EX to A-4. **MOTION CARRIED 5-0.**
 2. David Hubble, owner, parcel 0711-243-9061-0 at 1825 Leon Lane: requesting rezone of 8.36 acres from RH-3 to A-2 with Conditional Use Permit for a Limited Family Business (equipment repair): Mr. Hubble was present. The board reviewed both the conditions recommended by the Plan Commission, and the conditions recommended by Dane County. Mr. Hubble stated that all work is performed inside the building, asked that indoor operations be allowed at any time. He also requested that he be allowed a small sign on the building. **MOTION** by Hampton/DuPlayee to approve the rezone of 8.36 acres from RH-3 to A-2, with a Conditional Use permit for a Limited Family Business (equipment repair), with the following conditions:
 - a) Repair of heavy equipment and engines.
 - b) Business conducted in existing building and driveway.
 - c) Hours of operation from 7:00 A.M. to 9 P.M. Monday-Saturday for outdoor operations. No time restrictions on indoor operations.

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- d) No more than 1 piece of equipment stored outside. Pickup and drop-offs excepted.
- e) Outdoor lighting as is, none additional.
- f) Signs, if installed, shall be limited to one wall mounted sign a maximum of 32 square feet.
- g) Family and one additional full time equivalent employee allowed.
- h) Limited to current owner, CUP to expire upon sale.

All findings of fact that the standards listed in section 10.255(2)(h), DCCO were found to be satisfied. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of an amendment to Ord. Section 04.02 Office of the Municipal Judge: **MOTION** by Hampton/Fonger to adopt the amendment as presented. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of an amendment to Ord. Section 11.02 Outdoor and Open Burning: The Clerk pointed out that the suggested language prohibiting burning on any right-of-way surface would also apply to Town employees when clearing the right-of-ways. Williams felt that residents often do burn in the right-of-ways. **MOTION** by Hampton/DuPlayee to adopt the amendment with the addition of language to except Town and County employees from the prohibition of burning in the right-of-way when they are working to clear the right-of-way. **MOTION CARRIED 4-0-1** (Williams abstained).
- D. Discuss/Consider approval of attendees for 2014 Wisconsin Towns Association District meetings: **MOTION** by Hampton/Anders to allow all five Town Board members to attend a WTA District meeting for Board of Review training purposes. **MOTION CARRIED 5-0.**
- E. Discuss/Consider response to WisDOT regarding proposed new intersections of Buss, Gaston and Ridge Roads with I-94: **MOTION** by Hampton/DuPlayee directing the Clerk to send a response to the WDNR that the Town Board is opposed to an interchange at Gaston Road and an overpass at Buss Road because neither is in the best interest of Town Residents. The Town Board is neutral on an interchange at Ridge Road, but if one were to be constructed, Ridge Road should be improved as far as the County roads in both directions. **MOTION CARRIED 5-0.**
- F. Discuss/Consider future policing options for the Town of Cottage Grove due to the dissolution of the Joint Police Department on December 31, 2014: Hampton explained that the Village of Cottage Grove provided notice on December 17, 2013 that it is withdrawing from the joint police department agreement effective December 31, 2014. Hampton saw three options for future policing of the Town:
 - 1. Rely services provided by the Dane County Sheriff.
 - 2. Contract with the Dane County Sheriff for dedicated deputies to police the Town.
 - 3. Form a Town Police Department

Dane County Sheriff David Mahoney was present, along with Lt. Brian Hayes of the Southeast Precinct, and Captains Jeff Teuscher and Jeff Hook of the Field Services Division. There was general agreement that the Town would need to have some kind of police force beyond the general coverage by the Dane County Sheriff Deputies. Hampton thought that the Town would need 20 hours per day, 365 days per year. Sheriff Mahoney stated that he would be willing to update the figures in the proposal he provided to the Town back in 2010 (for possible 2011 policing). Williams requested a quote for 24/7 coverage as well. Sheriff

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Mahoney said that since the deputies work on 8 hour shifts, there may not be much difference between 20 hours and 24 hours, and in fact 20 hours may be a challenge to staff without using overtime. Sheriff Mahoney said he will provide the average cost of a deputy, along with the cost of a squad car, office space and equipment, for both 20 hours and 24 hours per week. He explained that the community would be involved in the hiring process of the contracted deputies, and could specify the focus of policing efforts. He suggested that the Town talk to other municipalities currently contracting with the County for service to find out how it has worked for them. Lt. Hayes stressed that the County will be here to protect the Town, as they always have been, regardless of whether or not a contracted deputy is on shift.

Anders said he would prefer that the Town form its own Police Department. Chief Hughes said that per his calculations, the Town would need 5 officers in order to provide 24/7 coverage. For 16 hours of coverage per day, he estimated 3-4 officers. Decisions to be made would include whether a working Chief or desk Chief would be needed, being mindful that due to location, this is not a typical township. An administrative assistant would be needed, and access to a report management system. Chief Hughes was asked to prepare costs for a Town police department to compare to the Sheriff's proposal.

Romayn Rote, 2964 Gaston Road, said he would be against the formation of a Town police department due to concerns that it would have trouble attracting quality professionals.

Steven Bork, 4318 Vilas Road, thought that 16 hours/day would be adequate.

- G. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Lease Agreement for property at 2560 Nora Road to be used by the Cottage Grove Police Department: **MOTION** by Hampton/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** There was a short recess, the audience was cleared, and the closed session began at 8:25 P.M.
- H. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Hampton/Anders to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:30 P.M. **MOTION** to approve the Lease Agreement dated December 30, 2013 by and between Dwight Huston and Dale Huston, the Town of Cottage Grove and the Village of Cottage Grove. **MOTION CARRIED 5-0.** Hampton noted that there has been a small additional insurance charge for the Huston's to insure the building during the last few days since the prior lease expired.

III. CLERK'S REPORT: The Clerk offered copies of the Town of Windsor's contract with the Dane County Sheriff's Department.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that: Landmark Services Coop will hold their Annual meeting on January 16th, and a notice from the FCC indicates that the old water tower on Grove Street in the Village will be replaced with a cell tower to rise 135 feet above grade.

V. COMMITTEE REPORTS:

- A. Law Enforcement Committee: Covered earlier in the meeting.

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- B. Deer-Grove EMS Commission: DuPlayee reported that he expects the union agreement will be brought to the boards after the January commission meeting.
- C. Joint Town/Village Fire Department Committee: Purchase of a vacuum cleaner for the building was approved, the next meeting will be on January 27th.

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

Kim Banigan, Clerk
Approved 1-20-2014

Closed session minutes approved and kept closed until future policing plans are finalized.

TOWN OF COTTAGE GROVE
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JANUARY 20, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Attorney Connie Anderson, and Police Chief Chris Hughes. Steve Anders arrived at 7:24 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
 - 1. **MOTION** by Williams/DuPlayee to approve the minutes of the January 6, 2014 Town Board Open Session meeting as printed. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by DuPlayee/Williams to approve the minutes of the January 6, 2014 Town Board Closed Session meeting as printed, and to keep them closed until future policing plans are finalized. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #21891-21938 as presented. **MOTION CARRIED 4-0.**
 - 2. The Treasurer asked that January per diem reports be submitted by January 29th.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider approval of a Parade, Procession or Race permit for the Ragnar Relay Chicago running race to pass through the Town of Cottage Grove on June 6, 2014: The Clerk stated that the fee and deposit have been received, all application paperwork is in order, with copies transmitted to Police, Fire and EMS. She noted that this event has taken place for several years now without incident. **MOTION** by DuPlayee/Fonger to approve a Parade, Procession or Race permit for the Ragnar Relay Chicago running race to pass through the Town of Cottage Grove on June 6, 2014, with notification to residents along the route using the postcard format provided. **MOTION CARRIED 4-0.**
- B. Discuss/Consider approval of Lease Agreement for property at 2560 Nora Road to be used by the Cottage Grove Police Department, as amended January 10, 2014: Hampton said that the only change to this lease as compared to the one previously approved is that in section II. B. the only allowable uses for Building Two is for parking of police vehicles and storage of items related to the operation of the Police Department. Chief Hughes reported that he spoke with Dwight Huston to explain that some of the equipment stored in the second building that appears to belong to Village Public Works is actually jointly used between Public Works and the Police Department. **MOTION** by Hampton/DuPlayee to approve the lease as printed. **MOTION CARRIED 4-0.**

(Anders Arrived)

Chief Hughes said that the Village had gone into closed session tonight regarding approval of the lease. Hampton asked the Town Board if, in the event that the Village Board does not approve the lease tonight, the Board would consider entering into a lease in the name of the Town only, to ensure that the Police Department has a home for 2014. When asked her opinion, Atty. Anderson said it is unlikely that the Police Department will move for the 11

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months remaining in the joint agreement, and the landlord has worked well to address multiple changes to the proposed lease. She did not see a disadvantage of the Town signing the lease if it came to that, and it would eliminate holdover tenant costs. **MOTION** by DuPlayee/Hampton authorizing the Chair to sign the lease on behalf of the Town only if the Village does not approve the lease tonight. Discussion included concern of whether the Village would pay its share to the Town, and what recourse the Town would have if they did not, but it was determined that the amount could be deducted from the Town's bill for operational expenses. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of forwarding an outdoor lighting ordinance to the Ordinance Committee: Fonger reported that the light that prompted the request for an ordinance has been turned off. Discussion was that the sample ordinance previously provided was overkill. The Clerk will look for a simpler example to address nuisance lighting. **MOTION** by Hampton/Williams to table until other examples are available. **MOTION CARRIED 5-0.**
- D. Presentation and Discussion regarding Use of Community Development Authorities (CDAs) as a Local Economic Development Tool: Attorney Anderson introduced Kevin Richardson, Town Engineer for the Town of Windsor and Executive Director of their CDA. Anderson invited him to provide the Board with his practical experience as an example of projects that another Town has done with a CDA.

Mr. Richardson had prepared a handout with an overview of the Windsor CDA projects. He explained that there are no property taxes for property owned by the CDA, but there are payments in lieu of taxes. Windsor's CDA has been involved in a senior housing development, brownfield redevelopment, a business facade improvement grant program, community building rehabilitation, and commercial and residential property development. The CDA provided funding and/or applied for grants and provided matching funds for these projects. It has also managed marketing of property for development. The CDA board is appointed by the Town Board and includes seven Town residents, with at least one but not more than two being Town Board members.

Richardson stated that none of these projects would have happened without the CDA, but also noted that every project in Windsor was in the urban service area and that an ETZ agreement with the City of Sun Prairie was also a key component in the success of some of the projects, as were conservation easements placed in strategic places.

Atty. Anderson said that a CDA can provide tremendous opportunities, even in Dane County. She provided a sample ordinance for the formation of a CDA.

- E. Discussion of Town Policing Options for 2015+ including Establishment of Town Police Department: Hampton directed the board's attention to page 5 of the study done by Baker Tilley for the Village of Cottage Grove, which showed wages and benefits for the current joint police department. Total wages and benefits for officers vary from \$64,534 to \$87,169. Chief wages and benefits are \$101,421 and Office Manager wages and benefits are \$68,832. Hampton estimated that the Town would need 4 officers and a working chief, plus a full time office worker.

Fonger said the Town should be looking to get the most bang for the buck using the \$489,000 that us currently going toward the joint police department.

Chief Hughes provided a spreadsheet showing the average total wages and benefits for the current joint police department at \$80,023.86, but estimating the average for Town only officer

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at \$66,478.36 based on the current Town benefit package, with \$84,873.70 for a chief, and \$46,563.56 for an administrative assistant. He also provided a spreadsheet showing Chief salary, annual budget, and benefits for other similarly sized municipalities in Wisconsin. The average budget was \$786,799. His final handout contained suggested revisions to Town Ordinances related to the formation of a Town police department.

With all of this said, the Chief cited a guide for establishing a new police department which suggests that if a municipality does not have the potential for economic growth, developing its own police department may not be the best option. He suggested that in addition to looking at contracting with the County Sheriff, the Town should also consider contracting with the new Village only police department, which he thought could offer a less expensive contract and would allow the Town to maintain the identity of a local police department. He said that once a contract was agreed upon, the Town would be dealing with him as Chief, not the Village Board.

Chief Hughes then reported that on January 27th the Village Board will hear proposals from three consultants who specialize in assisting with the development of a new police department. The proposals will be heard in open session and there may be information for the Town to glean from them.

The Chief is still gathering more figures related to a Town only police department, including call data, and costs for squads, computers and software. These items, along with possibly a proposal from the County Sheriff, will be discussed further at the February 3rd meeting.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that:

1. Dane County is proposing changes to the Resource Protection Corridors in the Dane County Comprehensive Plan. Board members reviewed the map briefly, and it will be available in the Town office. Public information workshops are planned, probably in February.
2. WDOT will hold an informational meeting on the northern segment of the I39/90 expansion project from 4-7 p.m. on January 27th in Edgerton.
3. WDOT will hold an Agency/Local Officials meeting on January 28th in Cambridge regarding the study of the corridor of US 12 between County N and Wis 26.
4. Application materials are available for Dane County's PARC Grant Program which offers 50% funding for projects to enhance natural resources and outdoor recreational facilities. Fonger will look into whether this may be a way to fund improvements to park equipment. Williams wondered if the town has ever considered bike lanes on Town Roads. Discussion was that it has been looked at but would be very costly, especially if not done in conjunction with other road improvements.

V. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: DuPlayee reported that the union has ratified the contract, and a joint board meeting is scheduled for January 29th.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:27 P.M.

Kim Banigan, Clerk
Approved 02-03-2014

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 3, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the January 20, 2014 Town Board Open Session meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #21939-21984 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Fonger to approve payment of January per diems as presented, and payment of \$100.00 to Tom Viken for January building permits. **MOTION CARRIED 5-0.**
 3. The Treasurer reported that first installment tax collection is complete, and over payments will be processed for approval at the February 17th Town Board meeting. The 2013 field audit is scheduled for February 13 & 14.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations: Arthur E. Voit, Jr., owner, parcel 0711-071-8200-0 at 2974 County Road BB: requesting rezone of 3.1 acres from RH-1 to A-2 with a conditional use permit for ~1.3 acres for a limited family business to allow retail sales of landscape materials: **MOTION** by Fonger/Williams to accept the Plan Commissions recommendation to approve the rezone of 3.1 acres from RH-1 to A-2 with a conditional use permit for ~1.3 acres for a limited family business to allow retail sales of landscape materials (mulch, stone, dirt, etc.), with CUP conditions as follows
 - Limited to retail sales of landscape materials, mulch, stone, dirt etc.
 - Limited to the 1.3 acres as drawn on the map/picture presented tonight.
 - Hours of operation: 7:00 a.m. to 8:00 p.m., Monday – Saturday, 8:00 a.m. to 3:00 p.m. on Sunday.
 - No outdoor lighting other than security lighting, with Night Sky limitations.
 - Signage as specified by Dane County.
 - Trucks delivering incoming product enter from County Road BB.
 - Product stored behind shed in cement dividers area, except mulch can be along Vilas Road, see drawing.

All of the standards listed in section 10.255(2)(h) have been considered and found to be satisfied. **MOTION CARRIED 5-0.**

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- B. Discuss/Consider approval of the Town to participate in Fly Dane 2014: Fred Iausly from the Dane County Land Information Office explained that the images from Fly Dane are available to the Town and its consultants, etc. at no charge if the Town opts to participate. He said that the Town first joined Fly Dane in the year 2000 for a fee of \$6,500, and estimated the Town's share for 2014 at just \$702. **MOTION** by Hampton/DuPlayee to approve the Town's participation in Fly Dane 2014 at a cost not to exceed \$750, with funds coming from 2013 carryover funds or Unassigned Funds. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of forwarding an outdoor lighting ordinance to the Ordinance Committee: The Clerk had provided two sample ordinances, one from the Wisconsin Town's association for the Town of Cloverland, and one from the Town of Perry. An email from Rod Heller indicated that the one from the Town of Cloverland most closely met his needs to regulate light trespass from a neighboring property. Fonger stated that he and Williams will review the sample and bring recommendations to the next meeting. **MOTION** by Hampton/Williams to table until February 17. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of amending Chapter 10 of the Dane County Code of Ordinances regarding abandoned nonconforming mineral extraction sites: A letter from the Dane County Towns Association criticized Dane County Zoning Staff's memo on this amendment, which proposes elimination of language that protects nonconforming mineral extraction sites from losing their grandfathered status when they are inactive for a year or more. Discussion was that this could cause owners of nonconforming sites to activate the sites strictly for the purpose of maintaining the grandfathered status. **MOTION** by Fonger/Anders to disapprove DCCO OA 26, 2013 regarding abandoned nonconforming mineral extraction sites. **MOTION CARRIED 5-0.**
- E. Discussion of Town Policing Options for 2015+ including Establishment of Town Police Department: Police Chief Chris Hughes was not able to attend the meeting, but had prepared budget estimates for a Town only police department that showed first year start-up costs at \$706,469, of which \$423,058.69 is wages and benefits for three officers, a working chief and an administrative assistant. In addition, Chief Hughes had prepared a "To Do" list related to the formation of a Town only department. Also, in an email to the Board, Chief Hughes noted that there would be startup costs in 2014 in order to have a department up and running on January 1, 2015.

Board discussion was that forming a Town police department would not be cheap or simple. There was mention of a recommendation in a US Department of Justice publication regarding starting and operating a police department that municipalities without the potential for economic growth should be looking at other options. It was also mentioned that the consultants making their proposals to the Village regarding startup of their police department stated that they are involved in many more consolidations than separations. The consultants recommended 6 – 8 officers for 24/7 coverage. Chief Hughes' budget estimates only includes 5. Coverage requirements will be easier to estimate once 2013 crime and call statistics become available, hopefully later this week.

DuPlayee thought that while Town residents probably want their own police department, a Town only department would be cost prohibitive. Even if the Town ends up with assets from the joint department, they would be used and need to be replaced sooner or later. Anders agreed regarding used vehicles, but thought most other equipment is up to date. Fonger

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agreed that a Town only department would be cost prohibitive, and thought that residents want a qualified professional to show up when they call for help, but it would not necessarily need to be a Town officer. Hampton thought people want to see a presence in the Town that they can count on. Smith wondered if the Town of Pleasant Springs should be approached to see if they would want to contract jointly with the Town of Cottage Grove for County police services.

There were 13 residents in attendance, and at Williams' suggestion, Hampton asked them for their input.

- Romayn Rote felt that the estimate of \$423,000 for wages and benefits sounded low, and wondered what the County proposal is. There was discussion that the County's proposal is expected at the February 17th meeting. The personnel expense will depend upon the experience level of the deputies the Town selects.
 - Randy Gabor, a town resident and acting Police Chief for the City of Madison, said that the Town has three options: 1) Coverage by the Dane County Sheriff – but he cautioned that geographic boundaries must be defined, 2) Contract with the Village of Cottage Grove, which he felt would provide the most familiarity with the Town and 3) Create a Town police department, which would come at incredible expense. He said that consolidation gives the best service, and it is unfortunate that it has come to the point of a separation. He is concerned about the working relationship between the Town and Village, and that it may lead to more annexation. There was discussion about how the separation came about and how merger talks fell apart. Silvin Kurt remembered that there was a time when the Town paid 80% of the police budget, and an earlier attempt to merge ended when the Village President walked away.
 - Joe Zinkel said that the Town needs a plan B on the table, but should not rule out the possibility of continuing the joint department if the Village comes to the realization that their own department will not be feasible.
 - Art Voit noted that sometimes it may be Village residents involved in accidents on Town and County roads, which makes it difficult to determine what services the joint police department provides to the Town vs. to the Village.
 - Joe Rausch, Town resident and Dane County Sheriff Deputy, said the Town must weigh all options before making a decision. He said that contracting with the County would ensure a police presence during the contracted times, and the Town would not lose the identity of a local police force. He suggested that the Board talk to board members of other municipalities that contract with Dane County to see how it is going for them. He also suggested that 8 hours of coverage per day may be adequate if it is strategically scheduled with previous call data in mind. During the non-contracted time, the Town would have coverage from the County's beat officers, as it always does.
- F. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Discuss possible projects for a Community Development Authority: **MOTION** by Hampton/Anders to move into closed session for the reason stated above.

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MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE. There was a brief recess to clear the room and the closed session began at 8:25 P.M.

- G. Consider/Adopt motion to reconvene to open session: **MOTION** by Hampton/Anders to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:45 P.M., and there was no action as a result of the closed session.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

- A. Joint Town/Village Fire Department Committee: A tentative agreement was reached regarding the use of proceeds of the contract to provide fire protection services to the Town of Pleasant Springs.
- B. Law Enforcement Committee: The committee paid the bills in a very brief meeting.
- C. Joint Town/Village Landfill Monitoring Committee: 2013 Landfill monitoring expenses were below budget by \$1,700 - \$1,800.

VI. Adjournment: **MOTION** by Hampton/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:48 P.M.

Kim Banigan, Clerk
Approved 02-17-2014

Closed session minutes approved 2-17-2014 and kept closed

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 17, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Police Chief Chris Hughes. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by DuPlayee/Fonger to approve the minutes of the February 3, 2014 Town Board Open Session meeting as printed. **MOTION CARRIED 4-0.**
 2. **MOTION** by Anders/Hampton to approve the minutes of the February 3, 2014 Closed Session as printed, and to keep them closed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #21985-22086 as presented. **MOTION CARRIED 4-0.**
 2. The Treasurer asked that February per diem reports be submitted by March 1st. She reported that she will settle with Dane County on first installment tax collections tomorrow, and that the 2013 field audit work was completed last week.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Presentation and discussion of Dane County Sheriff's proposal for contract policing services to the Town: Sheriff David Mahoney introduced the others in attendance: Captains Jeff Hook and Jeff Teuscher, Lt. Brian Hayes, and Crime Analyst Michael Wolnoha. Captain Teuscher gave a PowerPoint presentation that emphasized the following advantages of contract policing to the Town:
- Local control of policing priorities and personnel selected.
 - Budget considerations including flexibility of staffing.
 - Shift of hiring, firing, training, and supervisory responsibilities to the County.
 - Shift of legal liability, information technology and evidence management to the County.
 - Availability of county resources including detectives, evidence lab technicians, community deputies, and employee assistance programs.

Crime Analyst Michael Wolnoha then presented graphs and maps showing calls for service by month, shift, time of day, and location for the period of April through December of 2013. The data showed that a majority of calls for service occur on first and second shifts, and are related to traffic issues or assistance to other agencies such as fire and EMS.

Questions from the Board:

- How many hours per year would contracted deputies typically be out of the Township for training, vacation, etc.? Captain Teuscher said the average would be around 400 hours per year, but would depend on the seniority of the deputy (more senior deputies would

TOWN OF COTTAGE GROVE
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FEBRUARY 17, 2014

have more vacation time), and whether they also belong to any special forces. Substitutes can be assigned to fill short or long term absences.

- What are the terms of the contract? Three years, with an opt out clause with proper notice.
- What would be the impact of a new union contract? Every effort is made to settle union negotiations on a timely basis. Budget estimates will be provided to the Town in September or October of each year.
- Would the Sheriff's department consider hiring current Cottage Grove officers and making them available as contract deputies to the Town? The County does have an ordinance allowing absorption of displaced officers, however they are not typically assigned to the community they were hired from.
- What housing requirements would there be? Office space and a place for one patrol car. Captain Teuscher also mentioned the possibility of basing a community officer and/or the SAM 1 officer/car, which patrols the Towns of Cottage Grove, Blooming Grove and Deerfield on a 24/7 basis, in Cottage Grove. In the future, once the new County facilities are built at County AB and US Highway 12 & 18, there may be a possibility of housing them there as well.
- Would the Town retain its proceeds from ordinance violations? Yes.

Captain Teuscher then presented a Contracting Policing Proposal, based on an "Average Deputy", that estimated the annual cost for 1 FTE at \$101,556.00. A County supplied vehicle would add \$15,867. Indirect costs were estimated both with office space at \$4,227.23/FTE or without office space at \$8219.61/FTE. Estimated total cost of contract for 3 FTE was \$332,074.26 with office space, or \$342,972.45 without office space.

The Board will discuss this and other policing options with guidance from the Town Attorney at the March 3rd meeting.

- B. Discuss/Consider approval of three year Cash Farm Lease with Skaar Scattered Acres, Inc. for the 5 acres adjacent to the former Natvig Landfill site: Hampton reported that Skaar Scattered Acres, Inc. has agreed to a rent increase from \$100/acre to \$140/acre. **MOTION** by Anders/Fonger to approve the three year Cash Farm Lease as presented. **MOTION CARRIED 4-0.**
- C. Discuss/Consider changing the HVAC service provider for Town owned facilities: Hampton reported that the current service provider drilled holes in the exhaust when checking CO2 levels and did not plug them up, allowing condensation to drip near the circuit board that recently failed and had to be replaced. Due to his dissatisfaction with this service, he had asked McCutchin Heating and A/C to provide a price to perform Spring and Fall maintenance of both the Town Hall and Garage. The \$1,200 price provided was significantly higher than the current price. McCutchin had not been asked to include Flynn Hall. **MOTION** by Anders/DuPlayee to table pending proposals for the servicing the Town Hall, Garage and Flynn Hall from McCutchin Heating and A/C, High-Tech Heating and A/C, Landmark Services Co-op and Wohlers Heating and A/C. **MOTION CARRIED 4-0.** Wohlers will also be made aware of the prior questionable service.

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- D. Discuss/Consider approval of attendees for the Dane County Towns Association meeting on February 19th: Hampton, DuPlayee and Anders will all attend. Hampton is on the agenda to be appointed to CARPC.
- E. Discuss/Consider drafting an Outdoor Lighting ordinance: Fonger stated that he prefers a very simple ordinance such as the Town of Perry has adopted. Anders wondered if it is really necessary since only one resident has requested it, and did not want to start down a slippery slope of over-regulation. Others felt that the issue will come up again, and should not cause any immediate issues as long as current lighting is grandfathered. Fonger said he will let Hampton know when he and Williams have something for the Board to consider.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that:

- A. The Wisconsin Towns Association has indicated its support for AB648 and SB509 regarding large farm implements. Board members did not show any interest in taking a stand either in support or opposition.
- B. There will be a public meeting on March 4th at the Cambridge Elementary School regarding the WDOT's access study of the Hwy 12 Corridor from County N to Hwy 26 (Fort Atkinson).
- C. Notice from the WDNR indicated that the Rodefild Landfill Expansion plans have been deemed feasible with certain conditions, including a 15 year site life.

V. COMMITTEE REPORTS: None.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 4-0**. The meeting ended at 8:54 P.M.

Kim Banigan, Clerk
Approved 03-03-2014

TOWN OF COTTAGE GROVE
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MARCH 3, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith, Attorney Connie Anderson and Police Chief Chris Hughes. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the February 17, 2014 Town Board meeting as printed. **MOTION CARRIED 4-0-1** (Williams abstained).
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #21087-22124 as presented. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Fonger to approve February per diems as presented, and payment of \$85.00 to Tom Viken for February building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Carl Pulvermacher of the Monona Grove Soccer Club reported that arrangements have been made to move games from Ravenwood Park to the field at Glacial Drumlin School. With this change, the only use of Town fields by the MGSC will be for games at the Town Hall and practices at Ravenwood, American Heritage and Bass Parks. The Board will consider approval of this use of the fields at their March 17th meeting. Pulvermacher also asked for a representative from the Town Board to sit on a committee with representatives of the MGSC, the Village of Cottage Grove and Monona Grove Schools to work out a plan for future soccer field use in Cottage Grove. DuPlayee volunteered to sit on the committee.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations:
 - 1. Debra Peterson, owner, parcel 0711-062-8680-1 at 3119 Gaston Road: requesting rezone of 1.209 acres from R-1A to R-3A for compliance for existing mother-in-law suite: **MOTION** by Hampton/Anders to accept the Plan Commission's recommendation to approve the rezone of 1.209 acres from R-1A to R-3A for compliance for existing mother-in-law suite. **MOTION CARRIED 5-0.**
- B. Discuss/Consider awarding of bid for 2014 Valley Street – Bonnie Road Intersection Improvements: Ten bids were received, with base bids ranging from \$99,151.50 to \$166,608.00. A letter from Town Engineer Warren Myers (attached as Exhibit A), recommended acceptance of the low bid from Corex Excavation and Construction, LLC of Sun Prairie. Smith explained that the project would take place between June 15th and August 15th, when school buses are not running since it will involve road closures, and should take about three weeks to complete. Since the bids came in much lower than the pre-construction estimate, Smith and Myers had discussed doing some additional ditch work in conjunction with the project. Smith will show the Board what he has in mind during the annual road inspection this Spring, and if approved, this will require a change order to be issued for the

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project. **MOTION** by DuPlayee/Anders to accept Corex Excavation and Construction, LLC's base bid of \$99,151.50. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of a holding tank agreement for Safeguard Storage of Wisconsin LLC at 3164 Luds Lane: Safeguard Storage owner Mike Niebuhr showed that he has a sanitary permit and a pumping agreement for the holding tank. **MOTION** by Hampton/DuPlayee to approve the holding tank agreement as presented. **MOTION CARREID 5-0.**
- D. Discuss/Consider future policing options for the Town of Cottage Grove due to the dissolution of the Joint Police Department on December 31, 2014: The Clerk had prepared a preliminary comparison between the Dane County's Sheriff's proposal and Police Chief Hughes' estimates of what it might cost for the Town to form its own department or contract with the Village of Cottage Grove. The estimate for a Village Contract was very preliminary with several potentially significant unknowns. The Village Board has indicated that they need to complete their second study before they will be ready to look at offering a contract, which could take 4-6 months. The following comments were made by Board members:
- Fonger said he is in favor of contracting with the Sheriff's Department. He likes the leadership, the plan presented, and the comments from other Towns and Villages who currently contract with them. He does not think the Town should deal with the Village of Cottage Grove for police services.
 - Hampton thinks we should start with contracting with the Sheriff's Department for 3 FTE. If that is too little or too much coverage, it will be easy to adjust. He does not feel that the Village has treated the Town fairly or with respect in regards to the police department, and does not think we would get the promised service if we were to contract with the Village.
 - DuPlayee thinks that it would be too expensive for the Town to form its own department. He feels that the Sheriff's Department has always dealt fairly with the Town, and he does not trust the current Village administration. In addition, he does not think the Town can wait 4-6 months for the Village to complete its study.
 - Anders is not in favor of contracting with the Sheriff's Department. He does not like that deputies would spend 20% of their contract time on training, inservice and vacation, and felt that this number would be lower in the case of a contract with the Village of Cottage Grove. He was comfortable with the Chief being the Town's contact person and felt the Town would have more control of its police coverage as a customer of the Village than it had as a partner.
 - Williams stepped through her thought process in the topic. She is in favor of joint services and felt that the joint department was great. She likes our current police force, and likes the idea of working directly with the Chief if we were to contract with the Village. However, in the background is the knowledge that the Village Board chose to withdraw from the joint department, and the question of how will they feel about contracting services to the Town. The Sheriff's Department is successfully working in cooperation with several other municipalities, and at this point she is leaning in that direction.

Hampton would like to have direction from the Board prior to the Annual Town Meeting on April 15th so that he can inform the electors what they can expect that the Town Board may do

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to meet future policing needs. It was agreed that a Town only department can be taken off the table, with the remaining options of contracting with the Sheriff's Department or the Village of Cottage Grove. **MOTION** by Anders/Williams to place an item on the April 7th Town Board agenda to give direction for the Annual Meeting. **MOTION CARRIED 3-2** (Fonger and DuPlayee opposed.)

- E. Update from Attorney Connie Anderson regarding limit on city's authority to use extraterritorial plat authority to restrict use based on a recent State of Wisconsin Court of Appeals decision: Atty. Anderson explained that when a developer challenged the City of Delavan's denial of a plat in the Town of Delavan based on a city ordinance limiting development in the ETJ to 1 per 35 acres, the Circuit Court and Court of Appeals both ruled that the ordinance was a regulation of land use (i.e. zoning), and the city had acted outside its jurisdiction. The implications of this are that Towns should scrutinize reasons for extraterritorial plat denials to be sure they are based on plat review and not zoning issues.
- F. Discuss/Consider approval of 2014/2015 Bridge Inspection Agreement with Dane County. The Town has 7 bridges that require inspections every 2 years. The County's estimated cost to perform the inspections is \$3,150.00. **MOTION** by Hampton/Williams to approve the 2014/2015 Bridge Inspection Agreement with Dane County as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider agenda items for the Annual Town Meeting on April 15, 2014: The agenda will include an update on future policing plans for the Town, and an update on Deer-Grove EMS.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that Dane County is proposing a blanket rezone of all A1-EX parcels in the urban service area for compliance for their farmland preservation plan. This will be a topic at the March Plan Commission meeting. The County has mailed notice of the meeting to owners of affected parcels, including the Town, which owns four such parcels. Anders had a call from a landowner wondering what will happen to the splits on the affected properties. The Clerk will pose this question to County Zoning staff.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Commission was able to return to business as usual now that the union contract is finalized. A bill was sent to Ryan Brothers Ambulance Service for two ALS Intercept calls in the Town of Deerfield that were serviced by Deer-Grove EMS.
- B. Law Enforcement Committee: The Chief was absent due to illness, and there was some confusion over the final 2013 budget numbers.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:24 P.M.

Kim Banigan, Clerk
Approved 3-17-2014

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 7, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. Police Chief Chris Hughes arrived at 7:17 P.M.. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the March 3, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22125-22172 as presented, and voided check #22115. **MOTION CARRIED 5-0.**
 - 2. The Treasurer requested that March per diem reports be submitted by April 5th.
- E. Public Concerns: Hampton congratulated Mike Fonger for his recent induction into the Wisconsin Army National Guard Hall of Honor.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations:
 - 1. Arthur E. Voit, Jr., owner, parcel 0711-071-8200-0 at 2974 County Road BB: reconsider conditions for a conditional use permit for ~1.3 acres for a limited family business to allow retail sales of landscape materials: In order for delivery trucks to enter Voit's business from County BB, Dane County is requiring extensive road improvements. Smith said that to use the Vilas Road driveway, the culvert would need to be extended by 10 feet. **MOTION** by Anders/Williams to reconsider the conditions for a conditional use permit for ~1.3 acres for a limited family business to allow retail sales of landscape materials. **MOTION CARRIED 5-0.** Voit said he does not sell bricks. Materials to be delivered would include bark and stone. **MOTION** by DuPlayee/Fonger to allow deliveries off of Vilas Road once a 10 foot extension is added to the culvert. Other conditions remain as previously approved (on Feb. 3, 2014). **MOTION CARRIED 5-0.**
- B. Discuss/Consider 2014 use of Town parks by the Soccer Clubs: Carl Pulvermacher had provided the clerk with a Monona Grove Soccer Club game schedule for the field at the Town Hall. There will be no games at any other of the Town fields, although practices will be held at American Heritage, Ravenwood, and Bass parks. Tok Kim stated that the Celtics will not be using any Town fields until Fall, when they will use American Heritage. Pulvermacher asked about replacing the goals at Ravenwood Park with some that do not have wheels. Smith noted that it would be more time consuming to mow, but did not object. **MOTION** by Hampton/Anders to approve the use of Town fields by the soccer clubs as described above. **MOTION CARRIED 5-0.**
- C. Discuss/Consider waiving the Park Use Fee for the Soccer Clubs: Pulvermacher said that this request was based on seeing that the fee has previously been waived for Pee Wee football. **MOTION** by Anders/Williams to waive the the park use fee for the soccer clubs. **MOTION CARRIED 5-0.**

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- D. Wisconsin Chapter of the American Parkinson Disease Assoc., Inc:
1. Discuss/Consider approval of a Parade, Procession or Race permit, with application fee and deposit waived, for a half marathon crossing Town roads at the Glacial Drumlin Bike Trail on April 19, 2014: The Clerk noted that this event has taken place without incident in the past, and no concerns over the application have been raised by Emergency Services. **MOTION** by DuPlayee/Williams to approve the Parade, Procession or Race permit, with application fee and deposit waived, for a half marathon crossing Town roads at the Glacial Drumlin Bike Trail on April 19, 2014. **MOTION CARRIED 5-0.**
 2. Discuss/Consider approval of charging the Town Resident rate for Flynn Hall rental on April 18-19 for registration for the half marathon: **MOTION** by Williams/DuPlayee to approve charging the Town Resident rate for Flynn Hall rental on April 18-19 for registration for the half marathon. **MOTION CARRIED 5-0.**
- E. Discuss/Consider proposals for HVAC services to Town buildings: Three proposals were received:
- Wohlers Heating & A/C Corp:
Town Garage: \$253.20
Flynn Hall: \$150.00
Town Hall: \$180.00
 - High-Tech Heating & A/C, Inc.
\$765.00 for all three buildings
 - McCutchin Heating & AC
Town Garage: \$600.00
Flynn Hall: \$250.00
Town Hall: \$600.00
- MOTION** by Anders/DuPlayee to accept High Tech Heating & A/C, Inc.'s proposal to service the Town Hall, Town Garage and Flynn Hall for \$765.00 annually. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of 2014 borrowing for the Valley St. – Bonnie Ave. Intersection Improvements and 2014 Town Road improvements, not to exceed \$235,000: **MOTION** by DuPlayee/Anders to approve borrowing not to exceed \$235,000 (principal + interest) for the Valley Street/Bonnie Ave. improvements and other 2014 Town road improvements. **MOTION CARRIED 5-0.**
- G. Set date for annual road inspection: The annual road inspection will be held on April 21st. Board members should meet at the Town Hall at 1:00 P.M.

III. CLERK'S REPORT: Dane County has petitioned for declaratory ruling regarding the determinations by the Wisconsin Department of Revenue regarding Dane County's levy limit relating to the transfer of service for EMS auto insurance to some EMS districts. A hearing is scheduled for 9:00 a.m. on April 22nd at 2135 Rimrock Road.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton stated that committee members are needed to serve on the Ordinance and Parks committees.

V. COMMITTEE REPORTS:

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A. Emergency Government Committee: DuPlayee reported that the committee is continuing to update the emergency plan.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 7:47 P.M.

Kim Banigan, Clerk
Approved 4-7-2014

TOWN OF COTTAGE GROVE
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APRIL 7, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the March 17, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22173-22234 as presented. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of March per diems as presented, and payment of \$5,901.75 to Tom Viken for March Building Permits.
- E. Public Concerns: Sheryl Albers, 4274 Vilas Road, stated that she thinks that the per diem amount for the Police Commission Chairperson should be increased to the same amount as the per diem for the Plan Commission Chair since they do comparable work.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider response to the Cottage Grove Village Board's letter regarding contracting for police services: The letter essentially said that the Village Board expects to be in a position to discuss the feasibility and terms for a possible contract after they receive the report from their consultants in June, and asked for communication regarding the Town's interest and requested contracted provisions. **MOTION** by Anders/Williams to acknowledge the receipt of the letter and to send a response to thank the Village for the communication, but to take no action at this time. **MOTION CARRIED 5-0.**
- B. Discuss/Consider beginning contract negotiations with the Dane County Sheriff's Department for services beginning on January 1, 2015: Hampton began the discussion by stating that the Town Board has received contract cost estimates from the County Sheriff's Department and from Police Chief Chris Hughes to contract with the Village police department. Hampton would like direction from the Town Board as to which way he should tell the electors at the Annual Meeting that the Town Board is leaning.

Fonger is in favor of beginning contract negotiations with the Sheriff's Department, based on the cost estimates and provisions proposed, and on the favorable reviews by other contracting municipalities.

Anders questioned how the Town can consider entering into a contract with the County without first knowing what the Village might propose in comparison. He said that if the final estimate from Chief Hughes comes out more expensive than the County, he will be willing to go along with contracting with the County, but is not ready to proceed that way without hard core comparisons.

TOWN OF COTTAGE GROVE
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DuPlayee thought that Anders was putting a lot of faith in the Village's letter, and did not trust that the Village will have a cost estimate soon enough for the Town to plan its 2015 budget.

Hampton listed some of the benefits of contracting with the Sheriff's Department: Ability to select coverage levels, hours and staff, no need for a police commission, no personnel or legal issues to contend with, and access to County support staff. He does not trust the Village Board's ability to plan, noting the fact that they signed a 10 year Law Enforcement Agreement with the Town and then pulled out of it just a few months later.

Williams would like to hear what the electors have to say at the Annual Meeting about future policing, and then resume this discussion at the April 21st meeting. DuPlayee indicated his agreement with this approach, saying that he did not want the electors to get the impression that any decision is merely the Town Board's will, it should take into consideration what the people want.

Captains Jeff Teuscher and Jeff Hook from the Dane County Sheriff's Department were both in attendance, and the question was raised to them as to how much time their department would need to adequately plan to provide service to the Town of Cottage Grove. They replied that they will begin working on the 2015 budget in June, and the next hiring class begins in September.

Hampton suggested that the Town begin negotiations with the County to start laying the groundwork for a contract, but not make a commitment until later in the year when the 2015 Town budget planning is taking place. DuPlayee wondered how the Sheriff's Department would feel about the Town using them to vet the process. Captain Teuscher indicated his willingness to work with the Town in this regard. **MOTION** by Fonger/DuPlayee to start the contract negotiation process with the County, and if the Village does not come forward with a firm proposal by July 7th, to go ahead with finalizing a contract with the County Sheriff's Department. **MOTION CARRIED 4-1** (Anders opposed).

- C. Discuss/Consider beginning negotiations with the the Dane County Sheriff's Department on possible shared space for the Southeast Precinct: Captain Hook asked to clarify that the Sheriff's Department is not looking to move the entire Southeast Precinct as the agenda may seem to indicate, but since they are crowded in their current location, may be interested in moving some staff to another location. **MOTION** by DuPlayee/Fonger to begin negotiations with the the Dane County Sheriff's Department on possible shared space. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of a letter to Dwight and Dale Huston expressing the Town of Cottage Grove's intent to lease the premises at 2560 Nora Road beginning on January 1, 2015: Hampton had prepared a letter of intent which he asked for the Board's permission to send in order to have a foot in the door should the Town and County come to an agreement to share space. **MOTION** by DuPlayee/Fonger to send the letter to Dwight and Dale Huston expressing the Town of Cottage Grove's intent to lease the premises at 2560 Nora Road beginning on January 1, 2015. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of revised Certified Survey Map for John Dott/ Fred Goetz on Vilas Road: The revision was due to the City of Madison's requirement that the Vilas Road right-of-way be dedicated to the Town. **MOTION** by DuPlayee/Fonger to approve the CSM identified as number 4223-13 with last revision date of 4/3/2014. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
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- F. Discuss/Consider Dane County's petition for Declaratory Ruling regarding the determination by the Department of Revenue regarding Dane County's levy limit: **MOTION** by Williams/DuPlayee confirming that the Town Board is in favor of the Department of Revenue's original ruling that the County's tax levy should be reduced and the Town's tax levy should be increased. **MOTION CARRIED 5-0.**
 - G. Discuss/Consider approval of Resolution for the Negotiated Agreement Relating to the Second Rodefild Landfill Expansion: Hampton introduced Town resident Kyle Mathews, who has served on the negotiating committee for the landfill expansion, and Dane County Solid Waste Manager John Welch. Attorney Anderson had reviewed the proposed agreement and found it to be in order. The Dane County Board has already authorized signing of the agreement and it goes before the Madison Common Council tomorrow night. Mathews had a concern over non-commercial vehicles not being required to cover their load. Welch would prefer not to revise the agreement at this time, but will investigate other ways to address this concern, possibly through an ordinance. Welch listed a few of the provisions of the agreement, including annual compensation to the Town and four groups of residential property owners, property value guarantees, and safe drinking water guarantees with well monitoring. **MOTION** by Anders/Williams to adopt Resolution 2014-01 Authorizing the Execution of the Negotiated Agreement Relating to the Second Rodefild Landfill Expansion. **MOTION CARRIED 5-0.**
 - H. Update on Flynn Hall rear door: Hampton reported that the rear door to Flynn Hall had fallen apart, and a new steel replacement door is in the works.
- III. CLERK'S REPORT: There were 363 voters at the recent Spring election, and the new DS200 vote tabulator worked well, although it seems to take voters a little longer to fill in the ovals than it had to complete the arrows for the old tabulator.
- IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Wisconsin DOT will hold a Local Officials Meeting regarding future improvements to the I-39/90 North Segment from 4:00 – 5:00 P.M. on April 17th at the McFarland High School.
- V. COMMITTEE REPORTS:
- A. Deer-Grove EMS Commission: Business as usual, still waiting for reimbursement from Ryan Brothers for ALS intercept calls in the Town of Deerfield.
 - B. Law Enforcement Committee: The corrected December 2013 financial statement from the Village still does not make sense.
 - C. Plan Commission: A blanket rezone of A1-EX parcels in future growth areas is in the works in order for the County's farmland preservation plan to be in compliance with State requirements.
 - D. Joint Town/Village Landfill Committee: Business as usual, no gas detects.
 - E. Emergency Government Committee: Business as usual.
- VI. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:26 P.M.

Kim Banigan, Clerk
Approved 4-21-2014

Cottage Grove Town Board
RESOLUTION 2014- 01

**A RESOLUTION AUTHORIZING THE EXECUTION
OF THE NEGOTIATED AGREEMENT RELATING TO THE SECOND RODEFELD
LANDFILL EXPANSION**

WHEREAS, on December 20, 1993, the County of Dane (“County”), the City of Madison, (“City”), the Town of Cottage Grove (“Town”) and the Town of Blooming Grove entered into a negotiated agreement pursuant to Wis. Stat. Sec. 144.445 (now Sec. 289.33) regarding the first expansion of the Rodefild Landfill (the “1993 Negotiated Agreement”);

WHEREAS, for nearly 30 years, the County has been providing solid waste disposal at the Rodefild Landfill (also known as Dane County Landfill No. 2, a solid waste facility located at 7102 U.S. Hwy 12 & 18 in the City of Madison, Dane County, WI) and the 1994 expansion capacity has nearly been reached;

WHEREAS, the County now wishes to expand the Rodefild Landfill to extend the life of the solid waste facility;

WHEREAS, pursuant to the requirements of Chapter 289 regarding solid waste facility expansions, and the agreements among the parties, the Local Negotiating Committee for Dane County Landfill No. 2 (“Local Negotiating Committee”) was formed, which committee included four members appointed by the City and one member appointed by the Town (the Town of Blooming Grove having elected not to participate); and

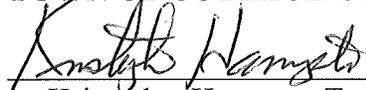
WHEREAS, the Local Negotiating Committee having met several times, the City and the County having reached separate agreements relating to the sale of land needed for the Rodefild Landfill expansion and solid waste operations, and the Town and County having reached a separate agreement relating to the Rodefild Landfill expansion; and

WHEREAS, the Local Negotiating Committee, the County, the City and the Town wish to approve this Agreement, as required by Wis. Stat. Sec. 289.33, to allow the County to proceed with the Rodefild Landfill and expansion in accordance with this and other agreements related thereto.

NOW THEREFORE, BE IT RESOLVED THAT, in consideration of the mutual promises, covenants and agreements related thereto, the Town Board of the Town of Cottage Grove hereby authorizes the execution of **THE NEGOTIATED AGREEMENT RELATING TO THE SECOND RODEFELD LANDFILL EXPANSION**, which is incorporated as if set forth in full herein.

The above and foregoing resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting held on the 7th day of April, 2014 by a vote of 5 ayes and 0 nays.

TOWN OF COTTAGE GROVE



Kristopher Hampton, Town Chairperson

Attested by:



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 21, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, and Highway Superintendent Jeff Smith. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the April 7, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #22235-22285 as presented. **MOTION CARRIED 5-0.**
 - 2. The Treasurer asked that April per diem reports be submitted by May 2nd, and reported that Johnson Block & Company will present the 2013 audited financial statements at the May 5th meeting.
- E. Public Concerns: Dane County Captain Jeff Teuscher addressed a resident concern expressed at the Annual Meeting last week regarding response times if the Town contracts with the Sheriff's Department for police services by saying that deputies would be stationed in the Town during contracted hours. He added that there is a beat deputy patrolling the Towns of Blooming Grove, Cottage Grove and Deerfield 24/7, and help comes from a variety of sources even under the current protocol, including the County Sheriff and the State Patrol.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider approval of a Certified Survey Map for KLM Grove Holdings, LLC for property located located North of 4713 County Road N: **MOTION** by Anders/DuPlayee to approve the CSM identified as project 94000 and dated 04/04/2014. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of financing for 2014 road projects. Three proposals were received for a single pay note with principal and interest payments to total \$235,000:
 - Monona State Bank: 2.29% interest
 - Bank of Sun Prairie: 1.956% interest
 - Wisconsin Bank & Trust: 1.55% interest**MOTION** by Hampton/DuPlayee to accept Wisconsin Bank & Trust's proposal for a short term loan, with interest rate at 1.55%, single payment due March 15, 2015 not to exceed \$235,000 including interest and principal. **MOTION CARRIED 5-0.** (actual amount borrowed will be determined by the cost of 2014 road projects).
- C. Discuss/Consider authorizing the Highway Superintendent to seek bids for 2014 road projects and set the date for bid opening: **MOTION** by Hampton/DuPlayee to require bids to be submitted by noon on May 16th, with bid opening at 12:30 P.M. on May 16th and awarding of bids at the May 19th Town Board meeting. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 21, 2014

- D. Discuss/Consider requirements of a contract for policing of the Town: Dane County Sheriff David Mahoney and Captain Jeff Teuscher were present. Discussion topics included:
- What shifts should be contracted for, with general agreement that two eight hour shifts every day covering the hours of 10:00 A.M. or 11:00 A.M. to 2:00 A.M. or 3:00 A.M. would be desirable, although Anders cautioned that the board will need to be ready to explain to constituents anything less than 24/7 coverage. It was noted that there is 24/7 coverage by the County's SAM1 beat deputy.
 - How many cars would be needed, and should they be leased from the County, or should the Town have its own? It was thought that 2 cars would be needed. Discussion was that by leasing, the Town would avoid maintenance and unexpected repair costs, however there may be cars available to the Town when the joint department is divided. Smith thought it would be good to get the SUV from the joint department, and asked that a separate radio be installed in the cars to allow direct communication with the public works department since their radios are not compatible with the Dane Com system. Captain Teuscher and Sheriff Mahoney said that in the event of a car being out for repairs, whether leased or owned by the Town, the County would assist in making sure a car is available to keep the deputies on patrol.
 - What would be needed for facilities, including office space, storage, interview rooms, etc. Captain Teuscher and Sheriff Mahoney said that the infrastructure in the current police station would be adequate, and that they would like to keep the audio/video equipment for interviewing, but could go elsewhere if more sophisticated equipment was required. There was talk about the possibility of housing additional County staff there, including possibly the SAM1 Beat deputy, a Community Deputy and/or a detective. This would not cost the Town any more but would give additional police presence in the Town.
 - Anders asked about the intoxilizer. Captain Teuscher said that these are owned by the State, and they currently use Cottage Grove's quite often. If it did not remain in the current police station, they would go to its new location in the Village or wherever.

No action was taken on this matter.

- E. Discuss/Consider adoption of a Resolution Appointing the Town Clerk for a Three Year Term: **MOTION** by Anders/Williams to adopt Resolution 2014-02 Appointing Kim Banigan as Town Clerk for a three year term ending on April 30, 2017. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of 2014-15 committee appointments: **MOTION** by Anders/DuPlayee to approve the committee appointments as recommended by Hampton. **MOTION CARRIED 5-0.**
- G. Discuss/consider approval of attendees for Dane County Emergency Management meetings in May: **MOTION** by Hampton/Williams to allow DuPlayee to attend the May 7th meeting in Stoughton. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval for the Clerk and Deputy Clerk to attend the Clerk Luncheon/Election Training on May 8th: **MOTION** by Anders/Williams to allow the Clerk and Deputy Clerk to attend the May 8th Clerk's Luncheon and Election Training, and to allow for the check to be mailed before the next board meeting. **MOTION CARRIED 5-0.** Hampton will cover the office for the hour from 11:30 to 12:30 that day.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 21, 2014

- III. CLERK'S REPORT: The Clerk distributed Wisconsin Towns Association membership cards.
- IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported receipt of a notice of the County's rezone in the City of Madison for the Dane County Landfill expansion.
- V. COMMITTEE REPORTS: None.
- VI. Adjournment: **MOTION** by Anders/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:17 P.M.

Kim Banigan, Clerk
Approved 5-5-2014

TOWN OF COTTAGE GROVE

RESOLUTION 2014-02
A RESOLUTION APPOINTING THE TOWN CLERK
FOR A THREE YEAR TERM

BE IT RESOLVED that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin hereby appoints Kim Banigan to the office of Town Clerk for the term of office of three years to to expire at 12:00 midnight on April 30, 2017.

Adopted this 21st day of April, 2014 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE



Kristopher Hampton, Town Chair

ATTEST:



Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 5, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan and Treasurer Debbie Simonson. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the April 21, 2014 Town Board meeting with the correction of one typo. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #22287-22321 as presented. **MOTION CARRIED 5-0.** (Note: after the meeting the Clerk noticed that check #22286 was unaccounted for. The Treasurer determined that it was a re-issue of check #22261, which had been damaged in the mail.)
 2. **MOTION** by Anders/DuPlayee to approve payment of April per diems as presented, and payment of \$6,639.00 to Tom Viken for April building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Kristi Williams shared a newspaper clipping about Fonger's recent induction into the Wisconsin National Guard Hall of Honor, and there was a round of applause.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Charter Communications to drill parallel to the right of way on Sundance Ct. to replace a failed cable. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Presentation of 2013 Financial Statements – Johnson Block and Company: CPA Jay Bennett made the presentation, and CPA Jan Froelich was also present. Bennett began by saying that the Town's financials were given an unmodified and unqualified opinion by the auditors, which is the highest form of opinion available. He had prepared a report for the Board showing 2013 financial highlights, including:
 - The December 31, 2013 General Fund Balance was \$673,958, which is \$18,907 higher than the 2013 year end balance. \$555,561 of the balance is in unassigned funds, which represents 23.2% of budget actuals. This is within the range of 15% - 25% that accountants like to see to indicate a healthy financial state.
 - Outstanding debt as of December 31, 2013 was at \$271,975, which is only 1.48% of the allowable debt capacity for the Town.
 - Public works expenses made up 43% of the 2013 budget at \$1,024,236, which is up by \$108,000 from 2012 primarily due to the repaving of Nora Road. Other expenses were essentially the same as in 2012. The second highest expense category was public safety at \$683,417 (28%), followed by debt service at \$303,406 (13%), and general government at \$277,276 (12%). The remaining 4% included expenditures for capital outlay, leisure activities, public service enterprises and conservation and development.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 5, 2014

- Property taxes made up 67% the Town's revenues at \$1,469,536, which is up by just \$5,456 from 2012. Intergovernmental aids and public charges for services contributed ~\$238,000 or 11% each to the revenues. Intergovernmental charges for services brought in \$120,121 (5%). The remaining revenue included licenses and permits, fines, forfeitures and penalties, interest and other miscellaneous revenue.

Next Bennett turned to the Required Audit Communications booklet, which included the following:

- Notice that certain aspects of the financial statements are based on estimates, the most sensitive of which is the valuation of fixed assets.
- The size of office staff does not allow for proper segregation of duties, which is common for 95% of similarly sized municipalities. Bennett felt that current office procedures and board oversight were in place to make the best of the situation, and did not have any recommendations for changes that should be implemented. He did recommend that the board adopt a Fraud Risk Policy to define how any suspected fraudulent activity should be reported to the Town Board.
- Bennett also recommended that a Minimum Fund Balance Policy be adopted to maintain the fund balance in the 15-25% of actual range, and provide direction to staff and future boards. He will provide a sample policy.

Hampton noted that in a meeting earlier today between himself, Simonson, Bennett and Froelich, there was discussion of hiring a Quickbooks expert from Johnson Block and Company to assist with some journal entries needed to bring the Town's books in line with the auditor's at a cost of around \$100. Bennett and Froelich promised that next year they will have the financial statements finalized in time to present at the Annual Meeting.

- B. Discuss/Consider addressing resident concern over soccer practice in Bass Park: In a letter addressed to the board, Bob and Donna Evans complained about cars parking on the grass along Sky High Drive in front of their home and turning around in their driveway. They also complained that neighborhood children are being kept from using the park because of the frequent use by the soccer clubs, and wondered where the soccer players come from. Carl Pulvermacher and several of the coaches who use the Bass Park field for practice were in attendance, and said they would do all they could to make soccer parents park on Warren Lane. Pulvermacher estimated that about 1/3 of the 450 players in the Monona Grove Soccer Club come from the Town. The field is being used for practice Monday thru Thursday nights through about the end of May. The board took no action.
- C. Update on negotiations with the Dane County Sheriff's Department for policing of the Town: Hampton reported that he met with Captain Teuscher today, and provided a calendar illustrating what coverage would look like this month if we had either three deputies working 2 shifts, or four deputies working 3 shifts. All scheduled absences would be covered by other County personnel, however there would not be coverage for last minute absences. The County has no need for the cold storage building at the current police station, nor does the Town, but Hampton said that the Hustons have other potential uses for it. There has not been any indication of what, if anything, the County will be willing to contribute toward the rent of the building, but they are still interested in housing the SAM1 deputy, a detective and/or community deputy there. Captain Teuscher will get back to Hampton with 2015 wage and benefit rates and the cost to lease a car. No action was taken.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 5, 2014

- D. Discuss/consider approval of attendees for Urban Towns Committee Workshop on May 17, 2014: There was little interest in attending this meeting since the Town does not have enough equalized value to qualify as a TIF authority under the new legislation. **MOTION** by Hampton/Williams to not send anyone to the meeting. **MOTION CARRIED 5-0.**
- III. CLERK'S REPORT: The Clerk distributed a memo from the Dane County Towns Association regarding Local Control and Mineral Extraction Ordinance OA 26.
- IV. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton reported receipt of:
- A letter from Paul Rusk, Chair of the Public Protection & Judiciary Committee, regarding a special public hearing on possible changes in the structure and authority of the Dane County 911 Center Board.
 - An invitation to Fire Fighters Local 311 legislation reception on May 15th.
- B. Hampton attended a meeting called by State Representative Robb Kahl and attended by Senator Mark Miller along with representatives from the Village of McFarland, Town of Dunn, Town of Blooming Grove, Town of Pleasant Springs, City of Madison and the Wisconsin DOT. The Village of McFarland wants there to be an interchange at I-39 and County AB, saying that it is integral to their future growth. Since it is not in the MPO's recently updated plan, there would need to be a cooperative plan among the affected municipalities in order for it to move forward. Cost was estimated at \$15 million, and approval from Washington DC would be needed. The Towns of Dunn, Pleasant Springs and Cottage Grove were not in favor.
- V. COMMITTEE REPORTS:
- A. Law Enforcement Committee: Another short meeting to pay the bills and elect new officers. Jack Henrich will serve as Chair, Fonger will be the secretary.
- B. Plan Commission: The County's blanket rezone for farmland preservation compliance was tabled until May when Sr. Planner Brian Standing can attend. Hampton was elected as Chair, Dave Muehl will continue as secretary.
- C. Deer-Grove EMS Commission: The commission reviewed the draft 2013 Financial Statements. The final statements will be presented to the boards on May 15th.
- VI. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:10 P.M.

Kim Banigan, Clerk
Approved 5-19-2014

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 19, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. See attendance sheet for other attendees.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the May 5, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22322-22361 as presented. **MOTION CARRIED 5-0.**
 2. The Treasurer asked that May per diem reports be submitted by May 31st.
- E. Public Concerns: Fonger said that the American Legion and Boy Scouts will hold a flag burning ceremony beginning at 10:00 A.M. on Saturday, May 24th at the Town Hall. The names of all veterans in the Cottage Grove cemeteries will be read, and refreshments will be served afterward.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Charter Communications to drill parallel to Vilas Road and Bonnie Avenue, crossing Valley Street at two points, to relocate CATV in advance of the upcoming road project. There will be no charge since the Town is doing the project. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider approval of an amendment to the 2014 Town Budget: **MOTION** by Anders/Williams to approve Budget Resolution 2014-01 as presented. **MOTION CARRIED 5-0.**
 - B. Discuss/Consider awarding 2014 re-paving and seal coating bids:
 1. There was only one seal coating bid submitted, from Scott Construction, Inc. **MOTION** by Hampton/DuPlayee to award the 2014 seal coating projects to Scott Construction, Inc. for a total of \$89,769.00 **MOTION CARRIED 5-0.**
 2. Three re-paving bids were received:
 - Wolf Paving & Excavating of Madison, Inc.: cost per ton varying from \$61.25 to \$61.50 depending on the road, with total tons estimated at 3,266 for a total estimated cost of \$200,567.25
 - Payne & Dolan, Inc.: cost per ton varying from \$61.50 to \$66.75 depending on the road, with total tons estimated at 3,414 for a total estimated cost of \$212,286.25.
 - Grade-Tech Pavers, Inc.: cost per ton at \$71.10 for all roads, with total tons estimated at 4,443 for a total estimated cost of \$308,787.30.
- Smith noted that the final cost would be based on cost per ton. **MOTION** by DuPlayee/Williams to award the 2014 repaving projects to Wolf Paving & Excavating of Madison, Inc. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a second driveway for 4590 Lotus Lane: Property owners Kelly and Beck Schlicht were present and explained that they would like a second driveway to park their 24' camper in since their primary driveway is so steep. Smith indicated that he had no problem with the request, and that the driveway would require a 24' culvert with end walls, of the

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 19, 2014

same diameter as the culvert under their existing driveway. **MOTION** by DuPlayee/Williams to approve the second driveway with culvert and end walls as described by Smith above. **MOTION CARRIED 5-0.**

- D. Discuss/Consider approval of a Parade, Procession or Race Permit for the Cambridge Community Activities Program bicycle ride on July 12, 2014 using Deerfield, S. Jargo, W. Jargo and Ridge Roads: Mark Sewell said this will be the third annual ride, with proceeds benefiting the Cambridge Community Activities Program and Juvenile Diabetes. There have been no complaints about the prior rides. He asked that the board waive the fee and requirement to notify residents along the route since the impact of the ride is so low with only a few bicycles coming through at a time using Deerfield, South and West Jargo, and Ridge Roads in the Town. It was noted that payment had already been submitted. **MOTION** by Anders/DuPlayee to approve the Parade, Procession and Race permit with the same conditions as last year (no fee or notifications required). **MOTION CARRIED 5-0.** The Clerk will return the fee after the ride assuming there are no issues as a result of it.
- E. Discuss/Consider approval of Tetra Tech Professional Services Agreement for 2014 Private Well Groundwater Sampling of 3 wells selected by the Ad Hoc Well Testing Committee: Three replacement wells have been selected for testing, at 2190 W. Ridge Road, 2015 Uphoff Road, and 2181 Uphoff Road. **MOTION** by Williams/DuPlayee to approve the Agreement for 2014 Private Well Groundwater Sampling as presented. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported receipt of:

- Notice of a call for public comments from the Public Service Commission of Wisconsin regarding the Strategic Energy Assessment for the Years January 1, 2014 through December 31, 2020.
- Notice from the State of Wisconsin Waste Facility Siting Board that all requirements for the Dane County Rodefild Landfill Expansion have been met and the siting board considers the case closed.
- An email from Captain Jeff Teuscher showing projected 2015 wages for an average Dane County Sheriff's Deputy. The union contract is going to arbitration, however, with a possibility of a 2% increase.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: Ed Lemay was elected Chair and Joel Hammond was elected Vice Chair.
- B. Deer-Grove EMS Commission: Greg Frutiger was elected as Chair and Ed Lemay was elected as secretary. Lifequest had a representative there to explain billing practices.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:43 P.M.

Kim Banigan, Clerk
Approved 06-02-2014

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WI 53527

BUDGET RESOLUTION NO. 2014-01

A resolution allocating unassigned funds and amending the 2014 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

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

1. That \$9,000.00 from Unassigned Funds be committed for sick leave liability.

Explanation: Item 1. will fully fund the sick leave liability fund as per the December 31, 2013 financial statements.

2. That revenue account 41710 – Pleasant Springs Reimbursement be increased from \$62,500.00 to \$65,496.00 (net increase in revenue of \$2,996.00)
3. That expense account 51230 – Pleasant Springs Expense be increased from \$37,012.00 to \$40,008.00 (net increase in expense of \$2,996.00)

Explanation: Items 2. and 3. allocate the 2013 carry over for Pleasant Springs Fire expenses.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 19th day of May, 2014.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

ATTEST:



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JUNE 2, 2014

PUBLIC HEARING – 2014-15 ALCOHOL BEVERAGE LICENSES

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 28, 29, and 30, 2014, and posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan and Treasurer Debbie Simonson. See the attendance sheet available in the Clerk's office for other attendees.
- II. Hampton read the notice of the public hearing, including the list of applicants, and called the public hearing to order at 7:00 P.M.
- III. Hampton asked for public comment – there was none.
- IV. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

PUBLIC HEARING – 2014-15 NON-METALLIC MINING PERMITS

- I. Notice of the public hearing was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Notice by email was sent on May 23 to all interested parties who had signed up on the Non-Metallic Mining notification list from the Town's web site. Attendance was the same as the public hearing above.
- II. Hampton read the notice of the public hearing and the list of applicants, and called the public hearing to order at 7:02 p.m.
- III. Hampton asked for public comment: Cheryl Retzlaff, 3651 T-Bird Way, asked if there were any changes to operating plans for any of the pits. Hampton stated that none were listed on the applications.
- IV. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTIN CARRIED 5-0.** The public hearing ended at 7:03 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Attendance was the same as the public hearings above.
 - B. Hampton called the meeting to order at 7:03 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the May 19, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22362-22392 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented, and payment of \$1,330.00 to Tom Viken for May building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.
 - F. Road Right of Way Permits: **MOTION** by Williams/Anders to approve two permits:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JUNE 2, 2014

1. Alliant Energy: drill parallel and across right-of-way on Valley St. and Bonnie Ave. to relocate gas main for road construction.
2. Madison Gas & Electric: relocate two poles, an anchor guy, and underground cable that are in conflict with road improvement project.

MOTION CARRIED 5-0. There will be no charge for either of these permits since they are required for the Town's Valley Street project.

II. BUSINESS:

A. Discuss/Consider approval of July 2014 – June 2015 Alcohol Beverage Licenses:

1. Combination Class B Beer and Class B Liquor Licenses: The Clerk stated that all application paperwork and fees were in order, and the police inspections had not revealed any concerns over any of the applicants. **MOTION** by Fonger/DuPlayee to approve Class B Beer and Liquor licenses for the following:

Ball of Fun, LLC
d.b.a. Doubleday's
Debra Stueber, Agent
4586 Baxter Road
Cottage Grove, WI 53527
Door Creek Golf Course, Inc.
Phillip C. Frederickson, Agent
4321 Vilas Road
Cottage Grove, WI 53527

Nora's Tavern, Inc.
Timothy Kluever, Agent
1843 HWY 12 & 18
Deerfield, WI 53531
Tricia's Country Corners, LLC
Patricia J. Youngs, Agent
3737 CTH AB
McFarland, WI 53558

MOTION CARRIED 5-0.

2. Operators and Managers Licenses: The Clerk stated that one additional application was received after the list was printed for the Board packet (Nancy Moen). The Clerk also stated that all applications were in order and all background checks were clean. **MOTION** by Anders/Fonger to approve the list of Operator's and Managers, with the addition of Nancy Moen (see list attached as appendix A). **MOTION CARRIED 5-0.**

B. Discuss/Consider approval of July 2014– June 2015 Non-metallic Mining Permits:
MOTION by Fonger/DuPlayee to approve 2014-15 Non-metallic mining permits for the following:

Nonmetallic Mining Site: Gaston Road Quarry – 2543 Gaston Road

Applicant:
Brad Huston, President
R.G. Huston Company, Inc.
2561 Coffeytown Road
Cottage Grove, WI 53527

Landowners:
Huston Holdings, LLC
Dale and Dwight Huston
2561 Coffeytown Road
Cottage Grove, WI 53527

Nonmetallic Mining Site: Skaar Pit – 3355 County Road N

Applicant:	Landowners:
Brad Huston, President	Dale and Dwight Huston
R.G. Huston Company, Inc.	2561 Coffeytown Road
2561 Coffeytown Road	Cottage Grove, WI 53527
Cottage Grove, WI 53527	

Nonmetallic Mining Site: 2294 US Highway 12 & 18

Applicant:	Landowner:
Wade Cattell	Rocky Rights LLC
Raymond P. Cattell, Inc.	2401 Vondron Road
2401 Vondron Road	Madison, WI 53718
Madison, WI 53718	

MOTION CARRIED 5-0.

C. Plan Commission recommendations:

1. Discuss/Consider approval of a blanket rezone by Dane County of all parcels in the Town currently zoned A-1[ex] (Exclusive Agriculture) that are not within a designated Farmland Preservation Area, excluding two parcels owned by Bork Rev. Trust in Section 8: The Clerk stated that the County mailed notice to the owners of all affected properties, and there has been a public hearing and two Plan Commission meetings on the topic. Hampton said that the Bork parcels were included because of a small sliver that is not in the Farmland Preservation area, and Dane County Planner Brian Standing has agreed to revise the County's Farmland Preservation Plan to include the parcels so they do not need to be rezoned. The Hammonds would like their property on Vilas Road to remain in Farmland Preservation, but this will require a change to the Town's comprehensive plan, which the Hammonds were advised could be considered next year. Then they could apply to rezone their property back to A-1[ex]. **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to approve a blanket rezone of all parcels in the Town currently zoned A-1[ex] (Exclusive Agriculture) that are not within a designated Farmland Preservation Area requested zoning changes as presented, except Bork properties in Section 8 (list of parcels to rezone attached as appendix B.) **MOTION CARRIED 5-0.**

D. Discuss/Consider approval of lease conditions for police facility at 2560 Nora Road: A draft lease had been prepared by the Clerk and Attorney Anderson by amending the current lease to remove the Village as a party, and the cold storage building from the premises description. The Hustons had reviewed the draft and verbally expressed their acceptance. DuPlayee wanted to know if there was an out to the lease, and Dwight Huston offered that an out with 60 days written notice would be acceptable to him. There were questions as to how much staff the County Sheriff's department would house there and whether they would contribute toward the lease. **MOTION** by Anders/DuPlayee to table until the July 7th meeting, with the addition of the 60 day notice to end the lease. **MOTION CARRIED 5-0.**

E. Update on negotiations with the Dane County Sheriff's Department for policing of the Town: Hampton asked for direction for what questions to ask Captain Teuscher to be prepared to answer at the June 16th meeting. There was general agreement that three deputies would be the appropriate staffing level, but questions about whether the Town would need one or two vehicles, and discussion over whether it would be better to own or lease the vehicle(s). Other

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
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questions included how shift changes would occur, especially with only one vehicle, how much staff would the County house in our station, and would the County be willing to contribute toward the rent. There were questions about what assets the Town should try to keep from the current department, and the Clerk was advised to ask Chief Hughes for an inventory for the June 16th meeting.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton attended a recent meeting of the Cottage Grove Chamber of Commerce, and reported that the Rugby Club approached the Village asking for land to build a 300 seat sports complex, but were denied. The Rugby Club had offered the use of the complex for meetings and events.
- B. Anders reported on:
 - 1. The 911 Center Board: an attempt to make the board advisory rather than regulatory failed after much opposition. The burn in of the new communication system is now scheduled for the middle of next month, however there are still some problem areas in the west side of the County that may lead to additional costs.
 - 2. At the recent Dane County Towns Association meeting, there was criticism for the sponsor of OA10 regarding non-metallic mining sites, and no change in the DCTA's stance on the amendment. The County does not plan any changes to the makeup of the ZLR committee.

V. COMMITTEE REPORTS:

- A. Law Enforcement Committee: Short meeting to pay the bills, no discussion on division of Police Department assets yet, although Hampton asked that it be on the next agenda.
- B. Joint Town/Village Landfill Monitoring Committee: All zero detects on gas probes, and monitoring expenses are under budget so far this year.

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

Kim Banigan, Clerk
Approved 6-16-2014

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JUNE 16, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson and Highway Superintendent Jeff Smith. Police Chief Chris Hughes arrived at 7:33 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the June 2, 2014 Public Hearings and Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22293-22437 as presented. **MOTION CARRIED 5-0.**
 - 2. The Treasurer asked that June per diem reports be submitted by July 5th.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Update from Jeremy Balousek, P.E., Dane County Land and Water Resources, regarding stormwater drainage issues in the vicinity of Bakken Park: Mr. Balousek said that after being contacted by the Town last year, the County inspected the stormwater basin and determined that a major outlet is discharging onto private property. The Village of Cottage Grove's engineering firm was contacted, and engineers agreed that there is a problem, further stating that there was a design solution but the Village Board opted for a less expensive alternative. When confronted with the problem last year, Village officials chose not to do anything. For political reasons, the County did not pursue until today, when a notice of violation was sent to the Village Administrator and the Village's Engineering Firm (MSA Professional Services). The notice gives the Village until July 18th to submit a plan and schedule to bring the basin into compliance with County stormwater management standards. Balousek indicated he would like to see work completed by mid-September to allow adequate time to re-establish vegetation, and that if the Village fails to comply, the County is prepared to take legal action.
- B. Discuss/Consider approval of a Parade, Procession or Race permit for the Safe Harbor Child Advocacy Center, Inc. on July 12th, route to include Ridge, W. Ridge, Uphoff, Coffeytown, Vilas and Hope Roads: The Clerk stated that all application materials were in order and emergency services had been advised of the application and had not expressed any concerns. This event has been held in the Town previously without incident. **MOTION** by DuPlayee/Fonger to approve a Parade, Procession or Race permit for the Safe Harbor Child Advocacy Center, Inc. on July 12th, and to also approve the sample letter to notify residents along the route. **MOTION CARRIED 5-0.**
- C. Discuss/Consider information provided by Captain Jeff Teuscher regarding contracting with the Dane County Sheriff's Department for policing of the Town: Captain Teuscher provided a draft contract, which Hampton suggested that Board members should review for possible approval at the July 7th meeting. The Clerk will send to Attorney Anderson for her review in the meantime as well. Captain Teuscher also provided a recent workup of 2015 cost

TOWN OF COTTAGE GROVE
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projections. There was a brief discussion about what is included in the indirect costs (IT costs, HR functions, etc.). Captain Teuscher will provide more details by email. Other topics discussed included:

- Captain Teuscher noted that the Sheriff is seeking 2015 budgetary funds for planning of the new precinct at County AB and Hwy 12 & 18. He does not expect construction to begin before 2016, however.
- How many police vehicles should the Town have? Capt. Teuscher stated that one would suffice for 3 deputies, but there may be times when a second would be useful, such as an arrest late in a shift. Discussion was to possibly lease one from the Sheriff's Dept. and keep one from the dissolving joint department.
- If the Town rents the current police station, Captain Teuscher said that the county would house one or two detectives, the Community Deputy, and the 3 SAM1 beat cars there. Otherwise, the three contracted deputies could work out of the Town Hall.
- Captain Teuscher was asked to provide a list of required office equipment.

(Chief Hughes arrived)

- D. Discuss/Consider approval of modifications to make the entrance door at 4091 County N swing out instead of in: Hampton explained that tenant Dennis Viney has not been able to secure insurance for the property due to the direction the door swings. Hampton has requested a price to change the door from Mark Kudrna. Viney indicated there are other issues with the insurers as well, including a lack of electronic eyes on the overhead doors. Hampton will have Building Inspector Tom Viken meet him for an inspection. Viney has verbally indicated his intent to end the lease for the property. The Clerk mailed him a copy of the lease with the language regarding required written notice to terminate the lease highlighted. There has been some interest from a potential renter. There may be other work that should be done before it is rented again. Hampton is getting prices to paint the building.
- E. Discuss/Consider approval of allowing hay to be made on the former Natvig Landfill site: Hampton reported that Smith suggested that someone may be able to use the hay from the landfill and save the Town the cost of mowing it. Harvey Skaar, Dave Muehl, Andy Hornung and Tom Banigan have all been asked if they are interested, Andy Hornung has expressed interest. He is also interested in baling the field to the north of the Town Garage, however Smith has reservations about that since that is where wood chips from Christmas trees are spread and he is worried that they may be harmful to any animals that consume the hay. **MOTION** by DuPlayee/Williams to allow Andy Hornung to harvest hay from the former Natvig Landfill site. **MOTION CARRIED 5-0.**
- F. Discuss/Consider referring the following ordinances to the Ordinance Committee, as recommended by the Chief of Police:
1. Amending Section 10.08 – Regulation of Firearms to prohibit the discharge of rifles in the town at any time: Chief Hughes provided background to his recommendation, stating that the WDNR has construed ordinances such as ours as regulating hunting, and in an October 29, 2013 article in the Journal Sentinel, they recommended that if local officials are concerned about the use of rifles in their jurisdictions, they should impose year-around restrictions on rifles. The Town Board was not in agreement with this recommendation and at first took no action. Later in the meeting, Romayn Rote, 2964 Gaston Road, questioned where handguns fit into the Town's ordinance regulating the

TOWN OF COTTAGE GROVE
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use of rifles during deer hunting seasons. Under its definitions, the ordinance states “RIFLE means any firearm having a grooved (i.e. rifled) barrel that, upon discharge, projects a round or elongated projectile. Rifled barreled shotguns and muzzleloaders are not considered rifles for the purpose of this ordinance.” Rote argued that since handguns have rifled barrels, the ordinance effectively prohibits the use of handguns for deer hunting in the Town. There was general consensus to consider an amendment to section 10.08 Regulation of Discharge of Firearms to add handguns to the list of guns not considered as rifles. This will be on the July 7th agenda.

2. Amending section 20.02(1) Offenses Against Animals State Statues Incorporated by Reference: Chief Hughes said that it appears that the Town ordinance on animals has not been updated since 1993, and does not include all of the regulations in the current Chapter 951 of Wisconsin Statutes. He recommended adding language to incorporate all of the current provisions of Chapter 951 plus any that may be added in the future.
3. Renaming section 20.03 to Other Animal Regulations and adding language from Dane County Ordinance 47.17 regarding animals at large: Chief Hughes explained that this request stems from frequent reports of horses at large on Hope Hollow Trail. Nothing in the current Town Ordinances regulates large animals at large. He recommended using language from Dane County Ordinance 47.17. There was a question about whether County ordinances can be incorporated by reference, the Clerk will ask Attorney Anderson about this.

MOTION by Anders/DuPlayee to refer sections 20.02(1) and 20.03 to the ordinance committee. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton received an offer from the WDOT to make a presentation regarding the upcoming expansion of I-39/90. Consensus was to see if they can come to the August 4th Town Board meeting, and to announce the meeting on the web site and in the Herald Independent.
- B. Anders reported that he has expressed his concerns over John DeJung's suitability to lead the 911 center to the Dane County Towns Association. The Clerk will forward Anders' email to the rest of the board.
- C. Hampton asked Smith if he sees any need for the town to implement anything in light of recent legislation regarding Implements of Husbandry. Smith said we do have some very heavy manure spreaders using our roads, but was equally concerned over the width of the implements, which the new legislation does not address.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: DuPlayee reported that the committee is back to square one on the Emergency Plan. Hampton, Ed Lemay and Diane Wiedenbeck met with Sally Drisko f Dane County Emergency Management to discuss how to deal with volunteers.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:20 P.M.

Kim Banigan, Clerk
Approved 7-7-2014

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JULY 7, 2014

PUBLIC HEARING – PROPOSED AMENDMENT TO TCG ORD. SEC. 10.08 REGULATION OF DISCHARGE OF FIREARMS

- I. Notice of the public hearing was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Attorney Connie Anderson, and Dane County Captain Jeff Teuscher.
- II. Hampton called the public hearing to order at 7:00 P.M. and asked for comments. Romayn Rote, 2964 Gaston Road, commented that to really make things safe, the ordinance should limit shooting to single shot guns, stating that there is no evidence that rifle bullets travel any further than bullets fired from any other gun. He said it is time for the DNR, counties and townships to get in line to eliminate confusion over different laws in different jurisdictions.
- III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:07 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was posted as described for the public meeting above, and attendance was also the same, with the addition of Police Chief Chris Hughes at 7:10 P.M., and Fire Chief Bruce Boxrucker was present for part of the meeting.
 - B. Hampton called the meeting to order at 7:07 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the June 16, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22438-22489 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Fonger to approval payment of June per diems as presented, and payment of \$1,370.00 to Tom Viken for June building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns:
 1. Williams thanked Town staff for picking up the brush after the June 18th storm, stating that they did a great job.
 2. Ellery Jensen, 2852 Gaston Road, stated that he had failed to take a rezone request approved by the Town in February of 2011 to the County. The rezone involved the extra development right for continuous ownership since 1981 that expired December 31, 2010. Per the Town's land division ordinance, land use change approvals expire after one year if the necessary steps are not taken to gain approval by the Dane County Board. Jensen was looking for an exception to this rule. Atty. Anderson said that the one year expiration of town approvals is standard practice by the County, and while the Plan Commission and Town Board could consider a variance, she wasn't sure the situation would meet variance standards, and suggested instead that Jensen talk to the County Zoning Administrator to see if one would be needed first.
 - F. Road Right of Way Permits: None.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JULY 7, 2014

II. BUSINESS:

- A. Discuss/Consider enforcement of TCG Ord. Sec. 11.09 Unoccupied Property Maintenance for overgrown vegetation at 4540 American Way: Preliminary notice was mailed by the Clerk advising the property owner to address the complaint of overgrown vegetation before tonight's meeting when the Town Board would be considering enforcement of the ordinance. The property owner called the Clerk and stated that she would attend this meeting, however she was not here, and nothing has been done to address the overgrown vegetation. **MOTION** by Anders/DuPlayee directing Building Inspector Tom Viken to inspect the property and begin enforcement action. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of an Agreement for the Dane County Sheriff to provide police services to the Town of Cottage Grove effective January 1, 2015: Atty. Anderson had reviewed the contract proposed by the Sheriff's Department and provided a tracked copy with a few comments. Captain Teuscher had been provided with her comments and stated he had sent it to the County's Corporate Counsel, but did not see a problem with accommodating them. Hampton noted that section 3F should reflect that the Town will only be needing to lease one vehicle (and hopes to keep on vehicle from the dissolving joint police department as a backup). There was a question about how many hours are required each month for court and related preparation. Chief Hughes estimated about 2 hours. It would be expected that the on duty deputy would serve as a court officer, with the SAM1 deputy responding to any calls. **MOTION** by DuPlayee/Fonger to approve the Agreement for the Dane County Sheriff to provide police services to the Town of Cottage Grove effective January 1, 2015, authorizing Atty. Anderson to work with County Corporate Counsel on the items in her comments and discussed tonight. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a Lease Agreement with Dwight and Dale Huston for the premises at 2560 Nora Road: **MOTION** by DuPlayee/Fonger to approve the lease as presented. **MOTION CARRIED 5-0.** Dwight Huston noted that the current Police Department is in a bad situation, and urged the Town Board to work them come December 31 – January 1 if they do not have anywhere to go. Consensus was that the Town Board will work out an agreement if need be, providing that the Village Board comes to the Town Board with a request.
- D. Discuss/Consider approval of an Agreement Regarding Use of Proceeds From Contract (for fire protection) with the Town of Pleasant Springs: Atty. Anderson stated that the agreement approved by the Village Board was essentially the same as the one recommended by the Joint Fire Committee and Town Board back in the Fall of 2013, with a couple of tweaks by the Village Attorney. **MOTION** by Anders/Fonger to approve the agreement as presented. **MOTION CARRIED 5-0.**
- E. Discuss/Consider committing \$14,000 from the 2014 Emergency Services Building Budget (\$7,000 from Town, \$7,000 from Village) for future parking lot improvements: The Joint Fire Committee has recommended this plan. The total cost of the parking lot improvements was not known for sure, with some thinking in the neighborhood of \$63,000 and others thinking that was just the Town's share. **MOTION** by Hampton/Anders directing Atty. Anderson to work with the Village Attorney to draft an agreement for setting aside these funds. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JULY 7, 2014

- F. Discuss/Consider adoption of an amendment to TCG Ord. 10.08 Regulation of Firearms: **MOTION** by Fonger/DuPlayee to approve the amendment as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of a Parade, Procession or Race Permit for Katie Childs/Aids Network to use Vilas and Vilas Hope Roads for a bike ride on August 3rd: Paperwork was all in order and there were no concerns expressed by Police, Fire or EMS regarding the application. The ride has included Town roads in previous years without incident. **MOTION** by Williams/DuPlayee to approve the Parade, Procession or Race Permit for Katie Childs/Aids Network to use Vilas and Vilas Hope Roads for a bike ride on August 3rd, including the letter to notify residents along the route. **MOTION CARRIED 5-0.**
- H. Discuss/Consider adoption of a Resolution to Establish a Fund Balance Policy: Atty. Anderson said she had drafted the policy in line with those she had done for other municipalities. The Board would need to decide what percentage of unassigned funds they would like to maintain as compared to annual expenditures. Quick calculations showed that as of December 31, 2013 the percentage was ~22%. Fonger was not convinced such a policy was necessary, but the Treasurer explained that it is recommended by Johnson Block and Company and is related to GASB compliance. **MOTION** by Anders/DuPlayee to adopt Resolution 2014-03 to Establish a Fund Balance Policy, setting the minimum percentage of unassigned funds to be maintained at 25-30% of the current operating budget. **MOTION CARRIED 5-0.**
- I. Discuss/Consider notice from Viney Parts & Service to end lease for 4091 County Road N: Hampton said that Dennis Viney had called to say he would like to end the lease, but had not given written notice. Mr. Viney was present at the meeting and stated it “depends on the options”, noting that the Hustons are willing to assume the lease right away. Atty. Anderson said that a new lease under the same terms could be drawn up for the Hustons, and once signed, a release could be signed with Viney. Viney has not paid July rent and was thinking his security deposit could be applied. He was instructed to pay the rent and the security deposit will be refunded upon termination of the lease, subject to an inspection of the building. This led to a discussion about the condition of the building. Viney sent a letter to the Town on June 2nd indicating that he was unable to secure insurance due to commercial rent upgrade issues and building safety. Hampton said that per Tom Viken, everything meets current code for use as a garage. Viney inquired about reimbursement for improvements he had made to the building, including a wall and a counter, and some electrical features. Atty. Anderson advised that improvements attached to the building are considered fixtures and stay with the building. The electrical work would need to be inspected, and if it does not meet code, Viney would bear the responsibility to bring it up to code. Viney also mentioned that there was water in the basement that is coming in around the chimney. There was agreement between Viney and Dwight Huston that Hustons' would take over the building on July 15th. Atty. Anderson will draw up the new lease and a release document once the results of the inspection are known.
- J. Discuss/Consider approval of repairs to the old town garage at 4091 County Road N: Hampton said the building needs painting, but before that can happen, there are concrete issues to address. He called four companies and received quotes from two:

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JULY 7, 2014

- Hansen & Sons recommended cutting off and patching the overhangs above the doors, and gave a price of \$1,853 to do that and other concrete repair. Consensus was that this would compromise the historical significance of the building.
- Hermanson Concrete & Masonry LLC quoted a price of \$10,300.00 to make concrete repairs, including restoration of the overhangs, and to install 3 glass block windows.

Two quotes for painting were received, which included power wash (which should be done before concrete repairs), priming and painting.

- Fritz Barn Painting: \$3,2720.00
- Roberts Brothers Painting: \$4,790.00

A quote of over \$1,500 was received to change the entrance door to swing out and replace with a steel door, but consensus was to rely on what Tom Viken said about this not being necessary to meet code for use as a garage/storage. Hampton will investigate Viney's complaint over water in the basement and get an estimate for related repairs if needed.

Hampton stated that there is nothing in the 2014 budget to pay for these repairs. There is slightly less than \$10,000 remaining from the 2013 carryover, but the new fund balance policy adopted tonight would preclude use these funds. **MOTION** by DuPlayee/Williams to table until the next meeting. **MOTION CARRIED 5-0.**

- K. Discuss/Consider approval of an Upgrade Order Agreement with Schindler Elevator for the Emergency Services Building Elevator: The Joint Fire Committee had already approved the agreement. **MOTION** by Anders/Williams to approve the agreement as presented. **MOTOIN CARRIED 5-0.**
- L. Discuss/Consider canceling or rescheduling the July 21st Town Board Meeting: Hampton said he is suggesting the meeting be canceled since the Clerk will not be available. **MOTION** by Hampton/DuPlayee to cancel the July 21st Town Board Meeting. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT:

- A. Cleanup of the debris from the June 18th storm had only resulted in 2 hours of overtime, but took a considerable amount of time and resources:
- Labor: 142 hours
 - Dump Truck: 48.5 hours
 - Loader: 45.5 hours
 - Chipper: 15 hours
 - One-ton truck: 23 hours
- B. The Clerk distributed copies of the Village's proposed comprehensive plan update, noting that they will hold a public hearing on July 21st.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the WDOT sent proposed representations of interchanges planned for Gaston Road and Milwaukee Street with I-94. The Clerk will forward to the Board, comments are due July 19th.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: A special meeting was held to consider a pest control policy. The Commission is considering a request for new turnout gear and looking into financing

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JULY 7, 2014

options since it is not budgeted for 2014. The current gear did not adequately protect staff from the harsh winter.

- B. Joint Town/Village Fire Department Committee: DGEMS was granted permission to build a trophy case opposite of the one recently built by the Fire Departments. It will be funded by the Association, not taxpayer money. DGEMS will bill the Fire Department and Emergency Government quarterly for a share of the cost to provide internet to the building.
- C. Law Enforcement Committee: The 2014 Ford Explorer was in a T-bone accident last week, the officer was uninjured by the vehicle may be totaled. A list of department assets is being developed by Moffet & Associates.
- D. Plan Commission: The Commission developed a list of comprehensive plan changes for the Town Planner to quote on for the 2015 budget.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:43 P.M.

Kim Banigan, Clerk
Approved 8-04-2014

COTTAGE GROVE TOWN BOARD
RESOLUTION 2014- 03

A RESOLUTION ADOPTING FUND BALANCE POLICY (GENERAL FUND)

WHEREAS, the Town Board of the Town of Cottage Grove, Dane County, Wisconsin has determined that it is desirable and in the best interest of the community to adopt a written policy to guide in maintaining an operating reserve in the General Fund and to assure compliance with regulations and recommendations of its accountants and financial advisers; and

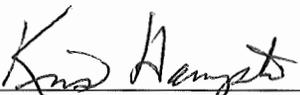
WHEREAS, the Town Board recognizes the need to maintain the operating reserve in the General Fund for purposes such as to hold adequate working capital to meet cash flow needs during the fiscal year, to reduce the need for short term borrowing, to serve as a safeguard for unanticipated expenditures and to show fiscal responsibility to maintain a high credit rating which will help reduce future borrowing costs; and

WHEREAS, the Town Board has reviewed and recommends the Fund Balance Policy, which is attached hereto as Exhibit A and incorporated by reference.

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cottage Grove that it hereby approves said Fund Balance Policy as set forth in Exhibit A.

The above and foregoing resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting held on the 7th day of July, 2014 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

Attest:



Kim Banigan, Town Clerk

**Town of Cottage Grove
Fund Balance Policy**

[Adopted by Resolution of the Town Board on July 7, 2014]

A. Introduction

The Town of Cottage Grove recognizes the need to maintain an operating reserve in the General Fund for the following purposes:

- Hold adequate working capital to meet cash flow needs during the fiscal year; and
- Reduce the need for short term borrowing; and
- Serve as a safeguard for unanticipated expenditures of Cottage Grove; and
- Show fiscal responsibility to maintain a high credit rating which will help reduce future borrowing costs.

Any excess revenues and other financing sources over expenditures and other financing uses at the end of the fiscal year will be added to the fund balance. The Town of Cottage Grove will work to achieve and then maintain an unassigned fund balance in the General Fund to provide for unanticipated expense of a non-recurring nature. It is the Town's goal to maintain a General Fund unassigned fund balance at a range of not less than 25% to 30 % of the current operating budget.

The Town's long-term goal for fund balance is to maintain a General Fund balance that would alleviate the need to borrow short-term for operational cash flow needs. Fund balance in excess of this goal may be used for one-time expenditures or unforeseen costs (such as damages, for example). The General Fund balance shall not be used for recurring costs in the operating budget.

Governmental fund balance amounts will be reported in conformance with Generally Accepted Accounting Principles (GAAP) and shall be reclassified not less than once at the end of each fiscal year for general purpose financial statements as follows:

- Non-Spendable Fund Balance: The non-spendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually requested to be maintained intact. This shall include items not expected to be converted to cash including inventories and prepaid amounts. It may also include the long-term amount of loans and receivables, as well as property acquired for resale and the corpus (principal) of an endowment (permanent) fund.

- Restricted Fund Balance: The restricted fund balance classification shall be reported when constraints placed on the use of resources are either (1) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or (b) imposed by law through constitutional provisions enabling legislation.
- Committed Fund Balance: The committed fund balance classification reflects specific purposes pursuant to constraints imposed by formal action of the Board. Such action shall be taken in open meeting and require the approval of a majority of the Board. Commitments of fund balance, once made, can be modified only by majority vote of the Board.
- Assigned Fund Balance: The assigned fund balance classification reflects amounts that are constrained by the Town's intent to be used for specific purposes, but meet neither the restricted nor committed forms of constraint.

The Town of Cottage Grove authorizes and directs the Clerk and Treasurer, or designee, to assign the fund balance, to the extent such assignment does not create a negative unassigned fund balance, including but not limited to:

- An amount sufficient to liquidate open encumbrances that are reasonably expected to result in expenditures in the subsequent year.
 - An amount estimated to be sufficient to cover the cost of unsettled labor agreements, if any.
 - An amount estimated for labor costs incurred prior to recognition of revenue the subsequent year.
- Unassigned Fund Balance: The unassigned fund balance classification is the residual classification for the General Fund only. It is also where negative residual amounts for all other governmental funds would be reported.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 4, 2014

(Prior to the meeting, Town Board members toured the former Town Garage at 4091 County Road N. No action was taken.)

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Dane County Captain Jeff Teuscher.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the July 7, 2014 Public Hearing and Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #22491-22568, including voided checks 22537 and 22490 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of July per diems as presented, and payment of \$3,537.00 to Tom Viken for July building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns:
 1. Corey Wise of Corex Excavation and Construction, LLC, requested a two week extension for the storm water project on Valley Street at Bonnie Avenue. He said he is still catching up after the rain events in June. Hampton suggested a one week extension, with the contractor personally notifying affected homeowners of the delay. There were no objections from other board members.
 2. Terry Wilcox, 2759 County Road BB, asked for the Town Board's assistance in requesting a no u-turn sign at the cut-out of the median strip in front of his driveway. Smith will contact Village Public Works about the request.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. WDOT overview of the the upcoming expansion of I-39/90 and its impacts on the Town of Cottage Grove: Steve Theisen, Project Communications Manager with the WDOT, made the presentation. Craig Pringle, Project Manager of the I-39/90 North Segment, was also present. Theisen said that the project area is a major tourism and truck route, and that the goals of the project include reducing crash rates, which are 20% higher than the State average, and reducing congestion. The interstate will be widened from 4 to 6 lanes, with 8 lanes in the Janesville area. 2014 projects include reconstruction of Wis 73, reconstruction of the bridge over Siggelkow Road, and repaving of I-90/39 between Janesville and Edgerton. He said that the County N interchange will be reconstructed to include roundabouts at each ramp in 2017, and the Beltline interchange will undergo major reconstruction, but not until 2020 or later. There is a web site dedicated to the project, and copies of a brochure and construction schedule map of the North Segment, along with a handout showing instructions for driving a roundabout, were left with the Town.

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B. Plan Commission Recommendations:

1. Ron Schultz Farm, LTD/Steve Querin-Schultz, applicant – 2293 W. Ridge Road:
 - a) Parcel 0711-103-9750-0: Requesting spot rezone of less than 1 acre from A-1EX to R-3A to allow farm house to be used as a duplex: Mr. Querin-Schultz stated that the house has been used as a duplex since 1951 and he does not want to separate the house from the farm, which is why he is requesting a spot rezone. **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve a spot rezone of the area depicted on the preliminary survey map from A-1EX to R-3A. **MOTION CARRIED 5-0.**
 - b) Parcel 0711-152-8080-0: Requesting Conditional Use Permit on A1-EX for inside storage of recreational vehicles in existing farm buildings: **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to allow for a Conditional Use Permit for inside storage of recreational vehicles in existing farm buildings, under section 10.123(3)(a)6. of the Dane County Code of Ordinances. All conditions under section 10.255(2)(b) have been considered as satisfied. **MOTION CARRIED 5-0.**
2. Amy Fluke, applicant – 3098 Hope Hollow Trail, parcel 0711-303-9760-0: Requesting rezone of 1.082 acres from A-2(1) to B-1 to allow for hosting of events in a commercially built barn: Hampton noted that the property is in the future land use plan for commercial development. Ms. Fluke said she plans to replace the existing barn with a new one built to meet commercial code. Smith cautioned her that the County may require turn lanes on AB. Williams asked about adequate parking, Ms. Fluke said she is considering purchasing additional property from Larry Skaar. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve a rezone of 1.082 acres from A-2 to B-1, limited to permitted uses (j) Private Clubs or organizations and (k) Theaters and auditoriums under DCCO section 10.11(2). Driveway must be wide enough for emergency vehicles, and applicant must supply site plan including lighting, parking, etc. to the Plan Commission before a building permit is issued. **MOTION CARRIED 5-0.**

- C. Discuss/Consider reducing the 50 foot buffer condition on the Coyle South Property: Hampton explained that Duane Farwell appeared during the public concerns portion of the July Plan Commission meeting asking that the buffer be reduced to 30 feet in the area planned for residential development. Debbie and Terry Wilcox, 2759 County Road BB and neighbors to the Coyle South Property, said they want the 50 foot buffer condition to remain in force. They said that the Village has not followed through on promises made regarding privacy measures (berm/shrubs) in the buffer area, and are now telling a different story when asked about addressing overgrowth there. The developer has also been asked to clean it up, but has not done anything about it. The Wilcox's also have had issues with the Village not keeping a promise to put stop signs where the bike trail intersects their driveway, and to plow snow away from their spruce tree. **MOTION** by Fonger/Anders directing the Clerk to send a letter to the Village Board stating that the Town Board is not interested in reducing the 50 foot buffer, and asking for a plan and timeline for how the buffer area will be landscaped and maintained. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of a Parade, Procession or Race Permit for the Kirke Vei Time Trial to use Schadel and North Star roads for a bike ride on August 16th: Chris Larson was in

TOWN OF COTTAGE GROVE
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attendance and asked that the fees be waived due to low impact on the Town, and stated that notice has already been sent to affected residents. **MOTION** by Williams/DuPlayee to approve the permit with fees waived, and accept the notice that has already been sent. **MOTION CARRIED 5-0.**

- E. Discuss/Consider approval of a CSM for James & Darla Jansen to divide their 3.438 acre R-1 zoned parcel at 4564 Sandpiper Trail into three residential lots (no rezone is requested since the resulting lots would also be zoned R-1. Original lot created in 1976): Eric Sandsness of Royal Oak Engineering presented the proposed 3 lot CSM. Discussion was that the flag shaped lot would have an awfully long driveway and be difficult to place a house on. Sandsness suggested that the County may consider a variance to the required 66' access if it was recommended by the Town Board. Eric Sztuczko, 909 Conservancy Court (in the Village) said that there are already drainage issues there that would be made worse by the land division. **MOTION** by Anders/DuPlayee to table until the next meeting and suggesting that the applicant return with two proposals: 1) with 3 lots and a narrower easement and 2) with just 2 lots. **MOTION CARRIED 5-0.**
- F. Update on status of Policing Contract with the Dane County Sheriff's Department: The Board reviewed a red-line version showing changes made by the Town Attorney and County Corporate Counsel. Captain Teuscher provided an updated Schedule A showing 2015 costs, which he stated would be reduced by 2% if the County prevails in labor contract negotiations. The Clerk will have 2 clean copies signed and ready for Teuscher to pick up tomorrow. Captain Teuscher said he would be soliciting letters of interest this Friday, to be submitted by August 16th. The County will narrow to about 14 candidates for the Town to interview, which he thought would be a day's work.
- G. Discuss/Consider a Resolution to Reconsider Fund Balance Policy: The proposed resolution was to reconsider the Town's goal to maintain a General Fund unassigned balance. **MOTION** by DuPlayee/Anders to adopt Resolution 2014-04 to Reconsider the Fund Balance Policy, and revise the minimum unassigned fund balance from 25-30% to 20-30%. **MOTION CARRIED 5-0.**
- H. Discuss/Consider acceptance of the Town Treasurer's resignation, and plans to fill the vacancy: Treasurer Debbie Simonson said she has thoroughly enjoyed the opportunity to serve as the Town's Treasurer. **MOTION** by Hampton/Anders to accept Simonson's resignation effective December 5, 2014 at 11:59 p.m., with reluctance and appreciation for all that she has done. **MOTION CARRIED 5-0.**
1. Work hours and compensation of replacement Treasurer: Simonson estimated that she spends an average of 16 hours per week performing her duties, but noted that during tax collection and audit preparation times, this number can be significantly higher. She also said that since she is mostly working when the Town office is closed, she works without distraction. The Clerk advocated for setting office hours for the new Treasurer to coincide with the hours the office is open, which would make him/her more accessible to the residents, and allow for cross training between the Clerk and Treasurer regarding general office duties. The Clerk advised that 20 hours per week would be the threshold between the Treasurer qualifying for part-time benefits or not based on the Personnel Policies and Procedures Manual. **MOTION** by Hampton/DuPlayee to base the newly hired Treasurer's position on 20 hours per week, with office hours from 8:30 a.m. to

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12:30 p.m. Monday thru Friday. Wages to start at \$12.00 - \$14.00 per hour, depending on skills and experience. **MOTION CARRIED 5-0.**

2. Start date for replacement Treasurer: Simonson said that the County Treasurer has tax collection training scheduled for early October. **MOTION** by DuPlayee/Fonger to set a start date of no later than October 1st. **MOTION CARRIED 5-0.**
 3. Amending the Treasurer and Clerk job descriptions: The Clerk had prepared red-line versions of both job descriptions with some revisions suggested to clarify the duties and bring them more into compliance with the statutory duties. The biggest changes would be that the Clerk would enter bills into Quickbooks rather than the Treasurer, as is the current practice, and the Treasurer would be expected to act as a backup to the Clerk regarding general office duties. Simonson said she was in agreement with all of the suggested changes. **MOTION** by DuPlayee/Williams to approve the revisions to both job descriptions, with corrections to typos as discussed. **MOTION CARRIED 5-0.**
 4. Amending the Town's job application form: The Clerk had added requirements for software proficiency to the existing application form. **MOTION** by Hampton/Williams to approve the revisions as presented. **MOTION CARRIED 5-0.**
 5. Publication of the vacancy: The Clerk had prepared an ad for publication.
 6. Timeline for acceptance of applications: **MOTION** by Williams/DuPlayee to approve the ad for publication, with a deadline of August 29th for applications to be submitted. **MOTION CARRIED 5-0.**
- I. Discuss/Consider approval of repairs to the old town garage at 4091 County Road N: Hampton noted that there is about \$3,000 remaining in the applicable 2014 budget line item for repairs.

Painting: Two proposals were received.

- Fritz Barn Painting - \$3,272
- Robert Brothers Painting - \$4790

Building repairs: Three proposals were received

- Hansen & Sons - \$1,853, for concrete work only, but the bid included cutting the overhangs off.
- Hermanson Concrete & Masonry LLC – \$10,300, including concrete repair and installation of 3 glass block windows.
- Joe Daniels Construction Company, Inc. - \$12,021, including concrete repair, 3 glass block windows, and chimney repairs.

MOTION by Hampton/DuPlayee to award the painting project Fritz Barn Painting, and the repairs project to Joe Daniels Construction, Inc. **MOTION CARRIED 5-0.**

Heating: Three proposals were received. McCutchin Heating and A/C declined to bid due to being too busy, but offered to review submitted proposals.

- High-Tech Heating - \$10,000 + piping and electric for three furnaces, one in office and two in garage area.
- Landmark Services Co-op - \$3,520 for two furnaces, one in the office and one in the garage area.

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- Wohlers Heating & A/C Corp – 6,600 for two furnaces, one in office and one in garage area.

McCutchin recommended High-Tech's solution as the most practical. **MOTION** by DuPlayee/Anders to accept High-Tech Heating's furnace proposal. **MOTION CARRIED 5-0.**

Lighting: Three proposals were received:

- Accurate Electric, Inc. - \$3,323
- Everything Electrical LLC – Three options between \$2,000 and \$2,500, plus \$200 for the basement.
- Electrical Solutions, Inc. - \$4,997

Discussion was that more info, specifically lumens provided, was needed to adequately compare the three proposals. The Clerk will ask the bidders for more information.

MOTION by DuPlayee/Anders to add the cost to paint, repair the exterior, and install the new furnaces to the pending loan for highway projects. **MOTION CARRIED 5-0.**

- J. Discuss/Consider Deer-Grove EMS' request for funds to purchase turnout gear: The gear was not budgeted for in 2014, but this past harsh winter made it clear that the current gear is not adequate to protect the EMT's from the weather. The total cost of the gear is \$58,625 if purchased all in 2014. DGEMS estimates that they can find \$15,000 to re-assign from the 2014 budget, which leaves about \$43,000 to come from the municipalities. The Town's share would be just under \$14,000. There has been talk of having DGEMS take out a loan, but Hampton noted that the Town cannot raise the tax levy to service debt of another entity. **MOTION** by Anders/Williams to approve funding of the Town's portion of the turnout gear in 2014. **MOTION CARRIED 5-0.**
- K. Discuss/Consider appointments to an ad hoc committee to interview candidates for Town contracted Sheriff's deputies: Hampton suggested that the committee should include a board member, a citizen, and a representative of Emergency Services. He suggested Fonger, Gary Simonson and Assistant Fire Chief Tom Banigan. **MOTION** by Hampton/DuPlayee to appoint the committee members suggested by Hampton. **MOTION CARRIED 5-0.** It is expected that interviews will take place the week of August 25-29.
- L. Discuss/Consider approval of attendees for the WTA convention on Oct. 26-28: **MOTION** by Hampton/Williams to allow DuPlayee to attend the conference on October 27th. **MOTION CARRIED 5-0.**
- M. Discuss/Consider rescheduling the first Town Board meeting in September: **MOTION** by Anders/Williams to hold the first meeting in September on Tuesday, September 2nd due to Labor Day. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: No report.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: No report.
- B. Law Enforcement Committee: No report

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C. Joint Town/Village Landfill Monitoring Committee: Landfill monitoring is running way under budget.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 9:50 P.M.

Kim Banigan, Clerk
Approved 9/02/2014

**COTTAGE GROVE TOWN BOARD
RESOLUTION 2014-04**

A RESOLUTION AMENDING FUND BALANCE POLICY (GENERAL FUND)

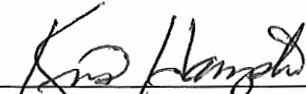
WHEREAS, on July 7, 2014, the Town Board of the Town of Cottage Grove, Dane County, Wisconsin adopted a Fund Balance Policy to serve as a guide in maintaining an operating reserve in the General Fund and to assure compliance with regulations and recommendations of its accountants and financial advisers; and

WHEREAS, the Town Board of the Town of Cottage Grove has reconsidered the Town's goal to maintain a General Fund unassigned balance,

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cottage Grove that it hereby amends said Fund Balance Policy as set forth in Exhibit A.

The above and foregoing resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting held on the 4th day of August, 2014 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

Attest:



Kim Banigan, Town Clerk

Exhibit A

Town of Cottage Grove Fund Balance Policy

[Adopted by Resolution of the Town Board on August 4, 2014]

A. Introduction

The Town of Cottage Grove recognizes the need to maintain an operating reserve in the General Fund for the following purposes:

- Hold adequate working capital to meet cash flow needs during the fiscal year; and
- Reduce the need for short term borrowing; and
- Serve as a safeguard for unanticipated expenditures of Cottage Grove; and
- Show fiscal responsibility to maintain a high credit rating which will help reduce future borrowing costs.

Any excess revenues and other financing sources over expenditures and other financing uses at the end of the fiscal year will be added to the fund balance. The Town of Cottage Grove will work to achieve and then maintain an unassigned fund balance in the General Fund to provide for unanticipated expense of a non-recurring nature. It is the Town's goal to maintain a General Fund unassigned fund balance at a range of not less than ~~25% to 30%~~ 20% to 25% of the current operating budget.

The Town's long-term goal for fund balance is to maintain a General Fund balance that would alleviate the need to borrow short-term for operational cash flow needs. Fund balance in excess of this goal may be used for one-time expenditures or unforeseen costs (such as damages, for example). The General Fund balance shall not be used for recurring costs in the operating budget.

Governmental fund balance amounts will be reported in conformance with Generally Accepted Accounting Principles (GAAP) and shall be reclassified not less than once at the end of each fiscal year for general purpose financial statements as follows:

- Non-Spendable Fund Balance: The non-spendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually requested to be maintained intact. This shall include items not expected to be converted to cash including inventories and prepaid amounts. It may also include the long-term amount of loans and receivables, as well as property acquired for resale and the corpus (principal) of an endowment (permanent) fund.

- Restricted Fund Balance: The restricted fund balance classification shall be reported when constraints placed on the use of resources are either (1) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or (b) imposed by law through constitutional provisions enabling legislation.
- Committed Fund Balance: The committed fund balance classification reflects specific purposes pursuant to constraints imposed by formal action of the Board. Such action shall be taken in open meeting and require the approval of a majority of the Board. Commitments of fund balance, once made, can be modified only by majority vote of the Board.
- Assigned Fund Balance: The assigned fund balance classification reflects amounts that are constrained by the Town's intent to be used for specific purposes, but meet neither the restricted nor committed forms of constraint.

The Town of Cottage Grove authorizes and directs the Clerk and Treasurer, or designee, to assign the fund balance, to the extent such assignment does not create a negative unassigned fund balance, including but not limited to:

- An amount sufficient to liquidate open encumbrances that are reasonably expected to result in expenditures in the subsequent year.
 - An amount estimated to be sufficient to cover the cost of unsettled labor agreements, if any.
 - An amount estimated for labor costs incurred prior to recognition of revenue the subsequent year.
- Unassigned Fund Balance: The unassigned fund balance classification is the residual classification for the General Fund only. It is also where negative residual amounts for all other governmental funds would be reported.

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TOWN BOARD CLOSED SESSION MINUTES
SEPTEMBER 2, 2014

- I. Consider/Adopt motion to move into 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: discuss applicants for Town Treasurer and discuss recommendation of ad hoc interview panel regarding Town Deputy applicants; and per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by Anders/Williams to move into closed session for the reasons stated above. **ROLL CALL VOTE: Fonger, Anders, Hampton, Williams, DuPlayee – all ayes.** Clerk Kim Banigan, Treasurer Debbie Simonson, Attorney Connie Anderson, and Dane County Sheriff Captain Jeff Teuscher were also present.
- II. Treasurer applicants: The Clerk distributed applications from 5 applicants. Discussion led to a consensus to selecting Anders, DuPlayee, Simonson and Banigan to interview all 5.
- III. Town Deputy Applicants: Fonger began the discussion by stating he would not hesitate to hire any of the 14 applicants presented by the Sheriff's Department. He then provided a list of the top 8 as selected by the interview committee, and passed around their letters of interest and photos. Consensus was to direct Captain Teuscher to go down the list in order when making offers to fill the three positions (9 am to 5 pm, 5 pm to 1 am, and a swing shift). After Anders brought up concerns of baggage that may come with a particular applicant, Captain Teuscher agreed to come back to the board first if it comes down to the applicant in question. Captain Teuscher said that the list of 14 would be maintained for one year, to be used if the need arose to hire another deputy.
- IV. Atty. Anderson explained the purpose for a letter that she sent on August 27th to the Village Attorney, President and Clerk, and the Law Enforcement Committee Chair. She said the letter was intended to let them know that the Town is moving forward with an agreement with the DCSO to provide police protection services, and to confirm that the Village's notice of termination last December triggered the dissolution of the joint police department, which should now be wound down in a business like manner according to the Joint Law Enforcement Agreement. Her letter asked for the immediate turnover of CGPD financial records, along with a list of the property that the Village wants to purchase. A copy of the letter was also sent to the Chief of Police and the labor counsel to keep them in the loop regarding issues related to the collective bargaining agreement. Atty. Anderson said that this letter could be an important exhibit in the event of future litigation.

Upon receipt of the letter, Village Atty. Lee Boushea promptly called Atty. Anderson and asked for her patience through the September 8th Village Board meeting, where he expects them to make decisions related to the requests in her letter. Atty. Anderson suggested that there is no point in involving the boards directly in the wind-down process since there is no going back now and personalities are sure to clash. She recommended that she and the Village Attorney work with staff to affect the wind-down. Questions remain as to how the dissolution will take place, whether as an end to the partnership or a successor agreement. This could be important as it relates to the Town's liability for unemployment.

The Village has been discussing a draft of the Moffet study in closed session for a month or more. Atty. Anderson recommended requesting a copy of the document after the September 8th Village Board meeting.

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SEPTEMBER 2, 2014

- V. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session. **MOTION** by Fonger/Williams to reconvene to open session. **MOTION CARRIED UNAIMOULSY BY ROLL CALL VOTE.** The closed session ended at 8:55 P.M.

Kim Banigan, Clerk

Approved and made an open record on 10-6-2014

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
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I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Attorney Connie Anderson and Dane County Sheriff Captain Jeff Teuscher. Supervisor Steve Anders arrived at 7:17 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the August 4, 2014 Town Board meeting as printed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #22569-22651, and voided check 22566 as presented. **MOTION CARRIED 4-0.**
 2. **MOTION** by DuPlayee/Fonger to approve payment of August per diems as presented, and payment of \$1,340.00 to Tom Viken for August building permits. **MOTION CARRIED 4-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider definition of "game" for the purpose of the Monona Grove Soccer Club's use of Town Fields: Carl Pulvermacher represented the soccer club, and also introduced Kirk Femrite as the new club President. Pulvermacher stated that while there have been no games on the practice fields as requested, there have been instances of two teams practicing on the same field at the same time, including scrimmaging, due to limited availability of green space. He noted that the soccer club does contribute toward the maintenance of Town fields, and said that use of school fields is limited since they have to pay to use them.

(Anders arrived)

- MOTION** by Fonger/DuPlayee to allow for scrimmages on the practice fields, but not regulation games, and to send a letter to the School Board asking for a meeting before the Spring Soccer season begins to discuss the cost of using school fields. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of the use of Cedar Knolls park for Pee-Wee football practice during September and October of 2014: The Clerk noted that there have been no incidents or complaints due to this use of the park, and stated that the Pee Wee football club has also requested to have the park reservation fee waived, as it has been in past years. **MOTION** by Williams/DuPlayee to approve the use of Cedar Knolls park for Pee-Wee football practice during September and October of 2014, and to waive the park reservation fee. **MOTION CARRIED 5-0.**
- C. Discuss/Consider adoption of a Resolution for Borrowing to finance 2014 road maintenance projects, Valley Street Stormwater system improvements, repairs to the former town garage at 4091 County Road N, and turnout gear for Deer-Grove EMS: **MOTION** by Anders/DuPlayee to waive the reading of the resolution and approve as printed (this will be Town Board Resolution 2014-05). **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
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SEPTEMBER 2, 2014

- D. Discuss/Consider terms of renewal for the Lease and Cooperative Use Agreement Regarding Flynn Hall (between the Town, the Village and the Lion's Club and Historical Society): The Flynn Hall Committee recommended changing the term to end on December 31, 2019, and increasing the maximum annual operating costs to \$7,500.00. **MOTION** by Anders/Fonger to approve the tracked changes in sections 2. f. and 3. e. regarding the end of term date and maximum operating costs as recommended by the committee. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of lighting upgrades to the former Town garage at 4091 CTH N: **MOTION** by DuPlayee/Williams to consider this topic with 2015 Budget discussions. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of the use of American Transmission Company Environmental Impact Fees funds to purchase trees for Town Parks: Hampton reported that two trees have died and one was damaged in a June wind storm. Each tree costs ~\$80. **MOTION** by Williams/Fonger to allow for spending up to \$400 of ATC funds for tree replacement in Town parks. **MOTION CARRIED 5-0.**
- G. Discuss/Consider recommendations from Ordinance Committee regarding TCG Ord. section 20.02 Offenses Against Animals and 20.03 Other Animal Regulations: **MOTION** by Fonger/Williams to forward the amendment to public hearing on September 15th. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval of an Agreement Regarding Designation of Funds For Parking Lot Improvements from the 2014 Emergency Services Budget: Hampton explained that the 2014 Emergency Services Building Budget includes \$14,000 (\$7,000 each from the Town and the Village) for parking lot repairs. Knowing that this is not enough to complete the project, the Joint Fire Department Committee has recommended creating a capital fund to build over several years. A draft agreement prepared by Atty. Anderson was reviewed. While it refers specifically to the 2014 appropriation, Section 1 would allow for yearly amendments to be added. **MOTION** by Hampton/DuPlayee to approve the agreement as drafted, including the Town's \$7,000 for 2014, and recommending that a blank amendment be taken to the Joint Fire Department's 2015 budget meeting. **MOTION CARRIED 5-0.**
- I. Consider/Adopt motion to move into 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: Discuss applicants for Town Treasurer and discuss recommendation of ad hoc interview panel regarding Town Deputy applicants; and per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by Anders/Williams to move into closed session for the reasons stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.**
- J. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session. **MOTION** by Fonger/Williams to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:55 P.M.
 - 1. Next steps in Treasurer hiring process: The Clerk will schedule interviews with the 5 applicants.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
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2. Recommendation to DCSO regarding hiring of Town Deputies: Captain Teuscher will proceed with offers to the candidates as recommended by the interview committee.
 3. Next steps in Dissolution of the Joint Town/Village Police Department: Atty. Anderson will follow the direction given to her in closed session.
- K. Discuss/Consider approval of interview panel for Treasurer applicants: **MOTION** by Anders/Hampton to appoint Anders, DuPlayee, Banigan and Simonson to the interview panel. **MOTION CARRIED 5-0.**
- L. Discuss/Consider approval for the Clerk to attend the District IV meeting of the WMCA on October 14th: **MOTION** by Anders/Williams to approve the Clerk's attendance at the October 14th WMCA meeting. **MOTION CARRIED 5-0.**
- M. Discuss/Consider appointing a chair for the September 15th Town Board Meeting: **MOTION** by Fonger/Williams to appoint Anders to chair the September 15th meeting, if one is needed. **MOTION CARRIED 5-0.**
- N. Discuss/Consider approval of attendees for UW Extension 2014 Finance and Budget Workshops: There was no interest in attending.
- O. Set 2015 budget workshop dates: Budget workshops were scheduled for October 21, 23 and 30, all beginning at 7:00 P.M.
- III. CLERK'S REPORT: None.
- IV. BOARD REPORTS AND COMMUNICATIONS: No report.
- V. COMMITTEE REPORTS:
- A. Emergency Government Committee: The committee is continuing to work on the emergency plan.
 - B. Town Parks Committee: The committee asked for \$7,000 in 2015, including repaving of two basketball courts.
 - C. Deer-Grove EMS Commission: Purchase of new turnout gear was approved, with financing to be worked out at the next meeting.
 - D. Joint Town/Village Fire Department Committee: A special meeting to work on the 2015 budget is scheduled for September 29th.
 - E. Law Enforcement Committee: There has been no work on the division of assets. The next meeting will be September 23rd.
 - F. Flynn Hall Committee: The new agreement was discussed, the 2015 budget was set at \$6,250, and there was discussion of replacing the front doors in 2015.
- VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:07 P.M.

Kim Banigan, Clerk
Approved 10-06-2014

TOWN OF COTTAGE GROVE

Town Board Resolution 2014-05

Resolution Authorizing Borrowing for 2014 Town Road Maintenance Projects, Valley Street Stormwater System Improvements, Repairs to Former Town Garage at 4091 County Road N and Town Share of Cost for Turnout Gear for Deer-Grove EMS

WHEREAS, the Town of Cottage Grove (“Town”) has approved and is currently engaged in the following public projects and/or proceeding with the following public purchases, each and all of which are found by the Town Board to be for public purposes and of benefit to the general welfare of the residents of the Town:

2014 Town Road Maintenance Projects;
Valley Street Stormwater System Improvements;
Repairs to Former Town Garage at 4091 County Road N; and,
Town Share of Cost for Turnout Gear for Deer-Grove EMS (collectively, the “Projects”);

WHEREAS, the Town has provided interim financing for portions of the Projects through its General Fund, and now wishes to borrow such funds as are necessary to complete the Projects (“Project Loan”);

WHEREAS, the Town Clerk and Town Treasurer have reviewed the anticipated costs for the Projects and recommend that Project Loan be in the amount of \$ 273,750.00 plus loan transaction costs (“Loan Amount”), with proceeds from the Project Loan to be allocated as follows:

2014 Town Road Maintenance Projects	estimated cost \$ <u>134,598.50</u> ;
Valley Street Stormwater System Improvements	estimated cost \$ <u>99,151.50</u> ;
Repairs to Former Town Garage at 4091 County Road N	estimated cost \$ <u>26,000.00</u> ;
and,	
Town Share of Cost for Turnout Gear for Deer-Grove EMS	estimated cost \$ <u>14,000.00</u> ;

*Note: Borrowing based on estimated budgets. Town Chair, Town Clerk and Town Treasurer are authorized to adjust among the 4 projects provided that: (a) all 4 projects do not exceed the Loan Amount; and, (b) all 3 concur and sign off on the adjustments.

WHEREAS, the Town has considered various sources of funding and wishes to obtain the Project Loan from Wisconsin Bank & Trust (“Lender”) using standard Wisconsin Bankers Association (WBA) forms (“Loan Documents”) at an annual rate of 1.55% amortized and fully paid on March 15, 2015 (“Loan Terms”).

NOW, THEREFORE, the Town Board resolves as follows:

1. The Project Loan described above, including the Lender, Loan Amount and the Loan Terms, is hereby approved.
2. The Town Chair and Town Clerk are hereby authorized to sign the Loan Documents on the Town’s behalf, provided that the Loan Documents have been reviewed and approved by the Town Attorney and the Project Loan closes on or before September 3, 2014.

3. The Town Clerk shall provide copies of the Loan Documents to the Town Treasurer so that the Project Loan is properly incorporated in the Town's financial records.

The above resolution was duly adopted by the Town Board of the Town of Cottage on this 2nd day of September, 2014, by a vote of 5 for, 0 against and 0 abstain.

TOWN OF COTTAGE GROVE

Attest:



Kris Hampton, Town Chair



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 6, 2014

PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO TCG ORD. SECTIONS
20.02(1) AND 20.03

- I. Notice of the public hearing was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Highway Superintendent Jeff Smith and Attorney Connie Anderson.
- II. Hampton called the public hearing to order at 7:00 P.M. and explained that the proposed amendment to sec. 20.02(1) Offenses against animals is intended to bring the ordinance up to date with the current relevant state statutes, and the amendment to 20.03 Other Animal Regulations is to address animals at large. There were no questions or comments.
- III. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:02 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice and attendance for the meeting was as described for the public hearing above.
 - B. Hampton called the meeting to order at 7:02 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the September 2, 2014 open session as presented. **MOTION CARRIED 5-0.** **MOTION** by Anders/Williams to approve the minutes of the September 2, 2014 closed session as presented, and to make them an open record. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22652-22751 as presented. **MOTION CARRIED 5-0.** It was noted that the payment to Corex is for 85% of the Valley Street stormwater project. The rest of the bill is being worked out since Corex did some extra matting and cement work but the Town ended up doing the blacktopping.
 2. **MOTION** by Anders/DuPlayee to approve payment of September per diems as presented, and payment of \$10,564.00 to Tom Viken for September building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.
 - F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Charter to jack & bore to provide cable TV service to 3743 Oakwood. **MOTION CARRIED 5-0.**
- II. BUSINESS:
 - A. Plan Commission Recommendations:
 1. Dane County Planning and Development, Applicant: The addition of two parcels at 4708 Kennedy Road, owned by Glenn and Virginia Sitts, to the blanket rezone by Dane County of all parcels in the Town currently zoned A-1[ex] (Exclusive Agriculture) that are not within a designated Farmland Preservation Area: **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the rezone of the 2 parcels at 4708 Kennedy Road from A-1EX to A-3, as requested under Dane County rezone petition 10765. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 6, 2014

2. Chris Miller, applicant, Patrick & Peggy Coffey, Owners – 4452 Ridge Road, Parcel 0711-122-8501-0 – Discuss/Consider rezone of 10.6 acres from A1-EX to A-2(8) to split original farm buildings from other ag land: Hampton noted that there are no remaining splits on the farm. The extra split for the original farm house expired on December 31, 2010. The current land use plan does not address splitting off of buildings from farm land without a split. County staff thinks this request will make it through the County approval process, but urges the Town to address this with the Comprehensive Plan update in 2015.

Hampton asked that the lot line between the proposed new parcels be moved to the east to correspond with the quarter section line so as to not create another tax parcel. The line was drawn as shown to allow for access to the southern field. Changing the location of the lot line would require a culvert to be put in the drainage ditch, or the beginning of the drainage ditch to be moved to the east. **MOTION** by Hampton/Anders to approve the rezone with the new lot line on the quarter section line, which would make the A-2(8) parcel containing the buildings 11.4 acres. Either the buyer or seller must install a culvert or fill in the ditch to allow access to the southern field. A deed restriction should be recorded indicating that there are no remaining splits on the farm. **MOTION CARRIED 5-0.**

3. Amy Fluke, applicant – 3098 Hope Hollow Trail, parcel 0711-303-9760-0: Discuss/consider allowing for additional acreage and outdoor entertainment with rezone from A-2(1) to B-1 to allow for hosting of events in a commercially built barn that was approved at the July Plan Commission meeting: Ms. Fluke said she intends to purchase +/- 1 acre from Larry Skaar, with the exact dimensions to be determined once the corn is off and they can walk the field. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendations to approve the rezone of +/- 1 acre from A-2(1) to B-1 with the following outdoor limitations:

Sunday through Thursday

- Casual event gathering/activities will be allowed on the premises outside between the hours of 9:00am to 9:00pm. Examples of outside activities could include:
 - Wedding ceremony behind the barn with the backdrop to the open field
 - Guests visiting and talking (e.g. family reunion on summer day)
 - Picnic or meals on picnic tables behind the barn with the backdrop to the open field (e.g. anniversary celebration on a spring day)
- Outdoor amplified sound shall be limited to no more than 90 min. per event and only between the hours of 9:00am to 9:00pm (e.g. outside wedding ceremony for the bride walking down the aisle)
- Any formal music set-up would be inside the barn for the duration of the event (less the 90 min referenced above)

Friday through Saturday

- Casual event gathering/activities will be allowed on the premises outside between the hours of 9:00am to 11:00pm
 - Wedding ceremony behind the barn with the backdrop to the open field
 - Guests visiting and talking (e.g. family reunion on a summer day)
 - Picnic or meals on picnic tables behind the barn with the backdrop to the open field (e.g. anniversary celebration on a spring day)

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 6, 2014

- Outdoor amplified sound shall be limited to no more than 90 min per event and only between the hours of 9:00am to 9:00pm (e.g. outside wedding ceremony for the bride walking down the aisle)
- Any formal music set-up would be inside the barn for the duration of the event (less the 90 min above would be set-up inside in the barn)

MOTION CARRIED 5-0.

4. David Dinkel, applicant, Powers Living Trust (Gary and Barbara Powers), Owners – 2128 Southern Court: Discuss/Consider approval to divide 1.608 acre lot zoned R-2 into two residential lots (no zoning change is requested): Hampton stated that since the lot was not created prior to 1981, it could not be divided under the infill provision on page J-16 of the Comprehensive Plan. Mr. Dinkel then brought up the question of whether a second driveway could be put in from Baxter Road to the garage at the back side of the original residential lot. Mr. Dinkel was advised that the question of a second driveway was not on tonight's agenda. **MOTION** by DuPlayee/Williams to deny the request to divide the 1.608 acre lot. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of an operator's license for Sonya Beckstrom: Ms. Beckstrom was not in attendance. **MOTION** by Fonger/Anders to deny the application based on court records showing her to be a habitual law offender. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a lockbox service agreement with Wisconsin Bank & Trust: **MOTION** by Anders/Fonger to approve the agreement as written, but the Treasurer's name will need to be changed once a new one is appointed. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Letter of Engagement for Johnson Block and Company to audit and prepare the Town's 2014 financial statements: The Treasurer questioned the inclusion of charges for mileage. **MOTION** by Fonger/DuPlayee to table for clarification on the mileage charges. **MOTION CARRIED 5-0.**
- E. Discuss/Consider adoption of amendments to TCG Ordinance sections 20.02(1) Offenses against animals and 20.03 Other Animal Regulations: **MOTION** by Fonger/DuPlayee to adopt the ordinance amendments as presented. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of additional election inspectors for the November 4, 2014 General Election: **MOTION** by Anders/DuPlayee to approve the list of 8 additional election inspectors for the November 4th election. **MOTION CARRIED 5-0.**
- G. Discuss/Consider recommending a resolution to the Deer-Grove EMS Commission Confirming Contributions and Payment for Deer-Grove EMS Turnout Gear: **MOTION** by DuPlayee/Anders to recommend that the Deer-Grove EMS Commission adopt the resolution as presented. **MOTION CARRIED 5-0.**
- H. Discuss/Consider graphic design options for Town of Cottage Grove Police vehicles: **MOTION** by Anders/Williams in favor of the graphics shown in photo 7 due to the larger lettering of Town of Cottage Grove, but using red rather than green as the accent color. **MOTION CARRIED 5-0.**
- I. Discuss/Consider approval of Agreement with Strand Associates for 2015 Monitoring Services for the Natvig Road Landfill: **MOTION** by DuPlayee/Williams to approve the agreement as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 6, 2014

- J. Consider/Adopt motion to move into 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: discuss recommendations from interview committee regarding applicants for Town Treasurer. and per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by Williams/DuPlayee to move into closed session for the reasons stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The room was cleared of all but board members, the Clerk, the Treasurer, and Attorney Anderson, and the closed session began at 7:55 P.M.
- K. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session (possible appointment of Town Treasurer and action related to dissolution of the Joint Town/Village Police Department): **MOTION** by DuPlayee/Anders to reconvene into open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 9:15 P.M. **MOTION** by Hampton/Williams directing the Clerk to extend an offer to Deb Abel for the Treasurer position with wages and terms as discussed in the closed session. **MOTION CARRIED 5-0.**
- L. Discuss/Consider 2015 Legal Budget: Attorney Anderson stated that she will be leaving Stafford Rosenbaum LLP at the end of 2014 to practice as legal counsel to selected local governments as Anderson Consultants, LLC, and she hopes that the Town will want to continue to use her services. Court legal services could still be provided by Stafford Rosenbaum LLP. She provided a resolution that the Town Board can consider to indicate who will be the Town Attorney and Town Prosecutor effective January 1, 2015. Attorney Anderson also provided a handout outlining what she expects will be the Town's legal expenses in 2015. **MOTION** by Hampton/DuPlayee to consider the recommended resolution at the next meeting, and to forward the 2015 legal budget estimate to a budget workshop. **MOTION CARRIED 5-0.**
- III. CLERK'S REPORT: The Clerk reported that she has been working to implement the recent ruling requiring voter photo ID, and will attend election training sessions in the following weeks.
- IV. BOARD REPORTS AND COMMUNICATIONS: No report.
- V. COMMITTEE REPORTS:
- A. Deer-Grove EMS Commission: The commission had their first discussion about the 2015 budget, and consensus seems to be that they do not want to dip into unassigned funds.
- B. Law Enforcement Committee: The committee will not meet any more due to the dissolution of the joint police department.
- C. Joint Town/Village Fire Department Committee: Fire Department and Emergency Services Building budgets for 2015 were approved. There will be a special meeting tomorrow night to consider approval of repairs to the hose tower, which is leaking.
- D. Joint Town/Village Landfill Monitoring Committee: The new monitoring agreement was approved and there has not been any bad news regarding testing.
- E. Emergency Government Committee: The 2015 budget will be the same as 2014. Plans are to purchase a new computer. There was no quorum at the October 4th dry run.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
OCTOBER 6, 2014

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:31 P.M.

Kim Banigan, Clerk

Approved 10-20-2014

Closed session minutes approved and kept closed until the matter is resolved.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson and Treasurer Trainee Debra Abel.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the October 6, 2014 open session as presented. **MOTION CARRIED 5-0.** **MOTION** by Anders/Fonger to approve the minutes of the October 6, 2014 closed session as presented, and to keep them closed until the matter is resolved. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. Simonson introduced Treasurer Trainee Debra Abel.
 2. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22752-22790 as presented, holding check #22777 until the Deer-Grove EMS Commission approves the resolution regarding funding of turnout gear. **MOTION CARRIED 5-0.**
 3. The Treasurer asked that October per diem reports be submitted by October 30th or 31st.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider approval of an operator's license for Courtney Mueller: Ms. Mueller was in attendance, accompanied by Patricia Youngs, owner of Country Corners. **MOTION** by Fonger/Williams to approve an operator's license for Courtney Mueller good through June 30, 2015. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of a second driveway on Baxter Road for 2128 Southern Court: David Dinkel appeared to represent Gary and Barbara Powers, owners of 2128 Southern. He presented a drawing showing where the proposed driveway would run, across the former outlot to a garage at the north end of the lot, with a 24" culvert in the drainage path. It was noted that the properties directly across Baxter Road from the location of the requested driveway are deed restricted against vehicular access. Smith said that the reason second driveways come to the Town Board is because they are not necessary like the main driveway, and can add to congestion on already busy roads. Don Peckham, 4503 Baxter Road, expressed the following concerns:
 1. The culvert on the former outlot will act as a holding station, causing water to back up onto Peckham's property.
 2. He felt the driveway would constitute a structure and thus be in violation of the purchase agreement for the outlot.
 3. He felt that the visibility at the point the proposed driveway would enter Baxter Road would be poor.

Michelle Klaus, 2131 Native Place, expressed concern over having a long driveway come all the way to the isolated detached garage, which is close to a garage on her property.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2014

MOTION by Hampton/Williams to deny the second driveway request based on traffic concerns on Baxter Road. There appears to be sufficient access from Southern Court.
MOTION CARRIED 4-0-1 (Anders abstained).

- C. Discuss/Consider approval of reducing the size of the cul-de-sac easement at the south end of Gala Way: Charlie Bader, owner of the vacant lot on the east side of the cul-de-sac, has discovered that the cul-de-sac is not correctly located in the center of the road, and the blacktop extends onto his property limiting where he can put his new house. Smith and Hampton had viewed the cul-de-sac and taken pictures to show the problem. Bader said he would be satisfied with being able to remove the blacktop that is on his property without any change to the easement itself. **MOTION** by Williams/DuPlayee to remove the blacktop that is beyond the Town's easement limit on Bader's property. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Letter of Engagement for Johnson Block and Company to audit and prepare the Town's 2014 financial statements (tabled from last meeting): The Treasurer had contacted Jay Bennett from Johnson Block and Company who told her the mileage charge would be from the Madison office, and he estimated it would total \$250-\$300 for the 2014 audit (performed in 2015). **MOTION** by Fonger/DuPlayee to approve the letter of engagement, but the Board would like to have a travel log included with the billing. **MOTION CARRIED 5-0.**
- E. Discuss/Consider purchasing a Short Term Tax Collector Bond in the name of Treasurer appointee Debra Abel: The Town does have an ordinance in place stating that the Town will assume all obligations to pay all taxes required to be paid by the Treasurer to the County Treasurer in the event that the Town Treasurer fails to do so. The question of purchasing a short term tax collector bond was brought up in light of having a brand new treasurer starting at tax collection time. **MOTION** by Hampton/Fonger to not purchase a short term tax collector bond. **MOTION CARRIED 5-0.**
- F. Discuss/Consider adoption of a Resolution for Selection of Town Attorney and Town Prosecutor: **MOTION** by DuPlayee/Williams to adopt the resolution (it will be Town Board Resolution 2014-06), selecting options to continue having Stafford Rosenbaum LLP serve as the Town Prosecutor and to continue having Attorney Connie Anderson serve as the Town Attorney, with services to be provided through Stafford Rosenbaum LLP through 12/31/2014, and through Anderson Consults, LLC beginning on 1/01/2015. **MOTION CARRIED 5-0.**
- G. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: Hampton stated there is no update from Attorney Anderson so no need for a closed session.
- III. CLERK'S REPORT: The Clerk has been busy attending election trainings and helping absentee voters.
- IV. BOARD REPORTS AND COMMUNICATIONS: Hampton said the draft 2015 MPO Unified Planning Work Program will be available in the Town's Office.
- V. COMMITTEE REPORTS:
- A. Joint Town/Village Fire Department Committee: The committee had a special meeting to approve repairs to a leak in the hose tower.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 20, 2014

B. Deer-Grove EMS Commission: The Village of Cottage Grove sent the resolution the Town recommended regarding financing of turnout gear to their attorney for review.

VI. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:07 P.M.

Kim Banigan, Clerk
Approved 11-3-2014

TOWN OF COTTAGE GROVE
RESOLUTION NO. 2014- 26
SELECTION OF TOWN ATTORNEY AND TOWN PROSECUTOR

WHEREAS, the Town of Cottage Grove has been advised that Attorney Connie Anderson will be leaving Stafford Rosenbaum LLP effective at the end of business on December 31, 2014, and will practice as legal counsel to local governments at Anderson Consults, LLC as of January 1, 2015; and,

WHEREAS, the Town recognizes that it has an absolute right to select its Town Attorney and Town Prosecutor.

NOW, THEREFORE, the Town Board of the Town of Cottage Grove hereby resolves as follows with respect to its legal representation:

1. Following consideration of its options, the Town Board approves the items checked below:

_____ Continue to have Stafford Rosenbaum LLP serve as the Town Attorney and the Town Prosecutor.

_____ Completely terminate its relationship with Stafford Rosenbaum LLP as of 12/31/2014.

X_____ Continue to have Stafford Rosenbaum LLP serve as the Town Prosecutor.

_____ Prepare a request for proposal (RFP) for Town Prosecutor services.

_____ Continue to have Stafford Rosenbaum LLP serve as the Town Attorney. (Note: Attorney Connie Anderson will not practice law through Stafford Rosenbaum LLP as of the end of business on 12/31/2014.)

X_____ Continue to have Attorney Connie Anderson serve as the Town Attorney. (Note: Legal services will be provided through Stafford Rosenbaum LLP through the end of business on 12/31/2014, and will be provided through Anderson Consults, LLC as of 1/1/2015.)

_____ Prepare a request for proposal (RFP) for Town Attorney services.

2. The Town directs the Town Clerk and Town Chairperson to work with Attorney Connie Anderson and Stafford Rosenbaum LLP to implement the Town's decisions, and authorizes the Town Chairperson to execute representation agreements consistent with the Town's decision.

Adopted by the Town Board by a vote of 5 for, 0 against, and 0 abstain on this 26th day of October, 2014.

TOWN OF COTTAGE GROVE

Kris Hampton
By: Kris Hampton, Town Chair

Attested by:

Kim Banigan
By: Kim Banigan, Town Clerk

ANDERSON CONSULTS, LLC

Legal Counsel for Local Governments

Attorney Constance L. Anderson
P.O. Box 3004
Madison, WI 53704
connie@andersonconsultswi.com
608.249.1865 (Direct Dial)

October 20, 2014

Sent via Email

Cottage Grove Town Board

Re: Legal Representation

Dear Town Board and Clerk:

As of January 1, 2015, I will be practicing law at Anderson Consults, LLC, and working exclusively with local governments.

Thank you for asking that I continue to serve as your Town Attorney, and having ongoing confidence in my ability to meet the Town's legal needs. The Resolution approved by the Board provides for a representation agreement between the Town and Anderson Consults, LLC. This letter serves as that agreement, and confirms that Anderson Consults, LLC has been retained by the Town of Cottage Grove on the terms and conditions set forth herein.

Scope of Services

The scope of our representation is limited to those matters that the Town brings to our attention. Municipal prosecution services are not being provided by Anderson Consults, LLC.

Fees and Charges

Hourly Rate. The Town has agreed to pay for our services based on the number of hours we spend working on your legal matters. My hourly rate for 2015 is \$180.00 per hour. While rates are subject to change on an annual basis, we will always notify the Town in writing prior to a change in rates.

Value Billing. We may also agree to work on a particular project on a flat fee basis that reflects a negotiated value of the services provided for that particular project. The scope of services, and the associated fee, will need to be agreed upon in writing prior to commencement of the project. The Town shall only be bound to value billing projects that are authorized in writing by a member of the Town Board. Email shall constitute a sufficient writing for these purposes.

October 20, 2014
Page 3

If you have any questions now or at any time during the course of our representation, please do not hesitate to ask me. Again, thank you for the opportunity to be of service.

Very truly yours,

ANDERSON CONSULTS, LLC

Constance L. Anderson
Owner

Agreed to, effective January 1, 2015:

TOWN OF COTTAGE GROVE, WI

By  11/4, 2014
Kris Hampton, Town Chair

Attested to by:

By  11/4, 2014
Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 3, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Treasurer Trainee Debra Abel, and Highway Superintendent Jeff Smith. Attorney Connie Anderson arrived at 7:30 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the October 20, 2014 Town Board meeting, and the October 21, 2014 and October 23, 2014 Budget Workshop open session minutes as printed. **MOTION CARRIED 5-0.**
- MOTION** by DuPlayee/Anders to approve the minutes of the October 23, 2014 closed session as presented, and to make them an open record. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Fonger to approve payment of bills corresponding to checks #22791-22836 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Williams to approve payment of October per diems as presented, and payment of \$570.00 to Tom Viken for October building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Anders displayed the new Deer-Grove EMS turnout gear.
- F. Road Right of Way Permits: **MOTION** by Anders/Williams to approve two road right of way permits:
1. Matt Mabie, 2108 Uphoff Road – permit for Alliant Energy to tunnel and trench across and parallel to the right-of-way for installation of electric distribution line.
 2. David Ress, 2727 Nadene Road – permit for Alliant Energy to tunnel across the right-of-way to install a new gas service line.

MOTION CARRIED 5-0.

II. BUSINESS:

- A. Plan Commission Recommendations:
1. James & Darla Jansen, 4564 Sandpiper Trail – Seeking approval to divide their 3.438 acre R-1 zoned parcel into two or three residential lots (no rezone is requested since the resulting lots would also be zoned R-1. Original lot created in 1976): **MOTION** by DuPayee/Anders to accept the Plan Commission's recommendation to approve option 4 with two lots, but no outlot created. **MOTION CARRIED 5-0.**
 2. Mike Niebuhr/Safeguard Storage, 3164 Luds Lane: Seeking amendment to CUP 2004 to allow for larger sign on the property: **MOTION** by Fonger/DuPlayee to accept the Plan Commission's to amend the deed restriction, changing item "d" to allow for 2 signs, one on the building (3' x 20'), and the one that is currently erected on Luds Lane. Both signs are covered under County restrictions. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of renewing the Professional Services Agreement Related to Building Inspection Services for the Town with Tom Viken for another three year term (2015-2017): No changes were proposed to the contract, other than a new three year contract term.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 3, 2014

MOTION by DuPlayee/Williams to approve the agreement as presented. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of Work Order Number 01: Town of Cottage Grove Comprehensive Plan Update from MD Roffers Consulting: Mark Roffers had provided an emailed memo stating that while he does not see a problem with completing the Town's work in an plan update in 2015, he could not promise that the County would complete their portion. **MOTION** by Williams/DuPlayee to approve Work Order Number 01: Town of Cottage Grove Comprehensive Plan Update from MD Roffers Consulting as presented. **MOTION CARRIED 5-0.**
- D. Discuss/Consider amending the TCG Personnel Policies and Procedures Manual: The Clerk had drafted amendments related to longevity, in lieu of retirement payments, and vacation carryover limits to reflect the closed session discussion on October 23rd. There was still discussion and confusion over the vacation carryover limits, so Attorney Anderson offered to review the language. **MOTION** by Hampton/Anders to approve the amendments to language regarding longevity and in lieu of retirement payments as presented. **MOTION CARRIED 4-1** (Fonger opposed).
- E. Discuss/Consider adoption of a resolution adopting certain fees as as permitted by the TCG Code of Ordinances and Smartgrowth Comprehensive Plan: **MOTION** by DuPlayee/Williams to adopt the fees as presented in the resolution, which will be Town Board Resolution 2014-07. The only change was the addition of a certified survey map fee of \$125.00. **MOTION CARRIED 5-0.**
- F. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by Hampton/Williams to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session began at 7:57 P.M.
- G. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session: **MOTION** by Hampton/DuPlayee to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 9:07 P.M. It was noted that direction had been given to Attorney Anderson and no resulting action was taken.
- H. Discuss/Consider approval of the 2015 Town of Cottage Grove Budget: A clean copy of the proposed budget was reviewed, which included a Town tax levy of \$1,549,884 and total revenues and expenditures at \$2,775,372. The resulting tax increase amounts to just under \$40 for a \$200,000 property. Fonger expressed his disapproval of a tax increase but stated that he would vote in favor because he felt it was important for the Board to be unified on the matter. **MOTION** by DuPlayee/Anders to approve the 2015 budget as presented. **MOTION CARRIED 5-0.**
- I. Discuss/Consider approval of date for:
1. Public Hearing for the Town of Cottage Grove Budget for Fiscal Year 2015.
 2. A Special Meeting of the Electors, pursuant to s.60.12(1)(c), Wis. Stat., for the following purposes:
 - a) To approve year 2015 highway expenditures pursuant to s.82.03(2)(a), Wis. Stat.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 3, 2014

b) To adopt 2014 town tax levy to be paid in 2015 pursuant to s.60.10(1)(a), Wis. Stat.

MOTION by Hampton/Williams to hold the public hearing at 6:30 P.M. on Monday, December 1st, with the Special Meeting of the Electors to immediately follow. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: DuPlayee reported that he learned a lot at the police discussion at the recent WTA convention, and that the presenters were surprised at the plans to dissolve the joint Cottage Grove police department, as they typically see consolidations, not splits.

V. COMMITTEE REPORTS:

A. In lieu of the Law Enforcement Committee meeting, Hampton met with the Village President to approve the Police Department bills.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:23 P.M.

Kim Banigan, Clerk
Approved 11-17-2014

Closed session minutes approved and kept closed.

TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2014-07

**A RESOLUTION ADOPTING CERTAIN FEES AS PERMITTED
BY THE TOWN OF COTTAGE GROVE CODE OF ORDINANCES AND THE
TOWN OF COTTAGE GROVE SMARTGROWTH COMPREHENSIVE PLAN**

WHEREAS, the Town of Cottage Grove Code of Ordinances and the Town of Cottage Grove Smart Growth Comprehensive Plan authorize the Town Board to establish certain fees by resolution; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, does hereby adopt the following fees to be effective upon posting: (Relevant ordinance or comprehensive plan sections are indicated in brackets following each fee)

Alcohol Beverage Fees [TCG 05.03 (2)]

Reserve "Class B" Intoxicating License [s. 125.51(4), Stats].....	\$10,000.00
Class "A" Fermented Malt Beverage License [s. 125.25, Stats].....	\$500.00
Class "B" Fermented Malt Beverage License [s. 125.51(2), Stats].....	\$100.00
"Class A" Intoxicating Liquor License [s. 125.51(2), Stats].....	\$500.00
"Class B" Intoxicating Liquor License [s. 125.51(3)(b), Stats].....	\$500.00
"Class B" Winery License [s. 125.51(3am), Stats].....	\$100.00
"Class C" Retail Wine License [s. 125.51(3m), Stats].....	\$100.00
Temporary Class "B" Fermented Malt Beverage License [s. 125.26(6), Stats].....	\$10.00
Temporary "Class B" Wine License [s. 125.51(10), Stats].....	\$10.00/day
Operator's License [s. 125.17(1-3,6), Stats].....	\$25.00
Manager's License [ss. 125.18, 125.32(10 and 125.68(1), Stats].....	\$25.00

Blasting Permit Fee [TCG 18.01]

Short Term.....	\$200.00
Long Term.....	\$500.00

Certified Survey Map Fee [TCG 15.18.3].....

Change of Land Use Fee [TCG 15.19.1].....

Cigarette and Tobacco Products Retailer License Fee [TCG 07.02(1)].....

Dangerous Animal License [TCG 20.20(8)].....

Dog License Fee (in addition to County Fees)[TCG 20.01(4)]

Per dog.....	\$4.50
Multi-Dog (up to 12).....	\$7.00

Driveway Permit Fee [TCG 08.02].....

Driveway Permit Deposit [TCG 08.02].....

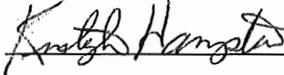
Emergency Response Reimbursement Fees [TCG 07.02(3)]

CGFD Ladder 1.....	\$400.00/hour
CGFD Engine 3.....	\$250.00/hour
CGFD Engine 4.....	\$250.00/hour
CGFD Squad 1.....	\$200.00/hour
CGFD Tender 1.....	\$150.00/hour
CGFD Tender 2.....	\$150.00/hour
CGFD Brush 1.....	\$100.00/hour
Personnel (minimum of 1 hour, rounded to next full hour for any minute over the hour)	
First hour.....	\$15.00/hour

Each additional person.....	\$10.00/hour
Water.....	\$10.00/1000 gal
Foam "A".....	\$20.00/gal
Foam "B".....	\$30.00/gal
Oil Dry.....	\$10.00/40 lb. bag
Fire Works Use Permit Fee [TCG 18.02(5)].....	\$50.00
Hall Rental Fees (Town Hall or Flynn Hall) [TCG 07.02(5)]	
User Fee – Town or Village of Cottage Grove Resident.....	\$125.00
User Fee - Non Resident.....	\$400.00
Security Deposit.....	\$50.00
Handling Fee [TCG 07.02(4)]	
per hour.....	\$20.00
minimum.....	\$20.00
Landowner Initiated Change to the Future Land Use Map [TCG Smart Growth Comprehensive Plan Chapter L – General Provisions sec. 3-6(a)].....	\$500.00
Mailing List Fees [TCG 07.02(6)]	
First 1,000 names.....	\$25.00
Per 1,000 in excess of 1,000.....	\$20.00
(Fees are tripled if gummed labels are requested)	
Non-metallic Mining Permit Fee [TCG 17.02].....	\$300.00
Non-Sufficient Funds Fee [TCG 07.02(7)].....	\$50.00
Overweight Permit Fees [TCG 07.02(8)].....	\$20.00 per power unit
Park Organized Event Administrative Fee [TCG 10.01(c)].....	\$25.00
Peddlers and Transient Merchants Permit Fee [TCG 11.07(4)(c)].....	\$50.00
Photocopying Fee [TCG 07.02(9)]	
Sheets sized for use in the Town copy machine	
Black & White copies.....	\$.25/page
Color Copies:.....	\$.50/page
Sheets sized in excess of the capacity of the Town copy machine	
First Page.....	\$25.00
Each Additional Page.....	\$5.00
Road Right-of-Way Permit Fee [TCG 08.03(1)(c)]	
Paid on application.....	\$50.00
Invoiced after approval.....	\$75.00
Security Deposit.....	determined at time of Town Board approval of permit
Statement of Real Property Status (Title Search) Fee [TCG 07.02(10)]	
Paid with request.....	\$25.00
Invoiced.....	\$50.00
Waste Treatment, Disposal or Storage Site Application Fee [TCG 16.04(6)(c)].....	\$250.00

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 3rd day of Nov, 2014.

TOWN OF COTTAGE GROVE



Kristopher Hampton, Town Chair

ATTEST:



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 17, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Treasurer Trainee Debra Abel, and Highway Superintendent Jeff Smith. Attorney Connie Anderson arrived at 7:06 P.M.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by DuPlayee/Anders to approve the minutes of the November 3, 2014 open session. **MOTION CARRIED 4-0.**
 2. **MOTION** by Anders/Fonger to approve the closed session minutes from November 3, 2014, and to keep them closed. **MOTION CARRIED 4-0.**
- D. Finance Report and Approval of Bills:
1. It was noted that the final bill from Corex for the Valley Street Stormwater Project has been received, and that the project is over budget due to some extra cement work around the culvert, and an estimating error on the matting. The overages were approved by the Town Engineer. The original bid was for \$99,000, but final costs ran \$105,000. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22837-22908, including voided check 22892. **MOTION CARRIED 4-0.**
 2. The Treasurer asked that November per diem reports be submitted by November 26th.
 3. The Treasurer reported that she has met with the banks regarding changing signature cards to reflect Deb Abel as the new Treasurer. Plans are to sign the signature cards on December 1st with an effective date of December 5th. The board was in agreement with this plan.
- E. Public Concerns: Smith reported that he had a phone call from Michelle Schmitt complaining that the Skaar's did not honor their agreement to plow Skaar Road after the recent first snowfall of the season. Hampton said he will stop by to discuss this with the Skaars.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider donating paintings by Hildegard Norsetter to the Cottage Grove Area Historical Society: The folk art paintings were on display, and had writing on the back indicating that the barn boards they were painted on were from the barn that once stood where the Town Hall stands today. Smith said they had been presented to the Town upon the Grand Opening of the Town Hall. **MOTION** by Fonger/DuPlayee to donate the two paintings to the Cottage Grove Historical Society. **MOTION CARRIED 4-0.**
- B. Discuss/Consider input to the WDNR regarding Dane County's application for proposed changing of stream course to accommodate construction of new County facilities at the corner of County AB and US Hwy 12 & 18: The "stream" runs in a ditch between the two former Rugby fields. **MOTION** by Fonger/DuPlayee to approve the request to change the stream course. **MOTION CARRIED 4-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 17, 2014

- C. Discuss/Consider approval of janitorial proposals for Town facilities: Hampton had obtained quotes from Coverall to compare with our current costs from Greyhound Professional to clean the Town Hall, Flynn Hall and Emergency Services Building, and had gotten quotes from both companies for weekly cleaning of the Police Station beginning in 2015. Total cost for the four locations was \$599.39 for Greyhound Professional and \$680.00 for Coverall. **MOTION** by DuPlayee/Anders to stay with Greyhound Professional. **MOTION CARRIED 4-0.**
 - D. Discuss/Consider appointees to the Technical and Advisory Committees for the I39/90/94 Interstate Study: **MOTION** by Fonger/Anders to appoint DuPlayee to the Policy Advisory Committee. **MOTION CARRIED 4-0.** No appointment was made to the Technical Advisory Committee.
 - E. Discuss/Consider amending the TCG Personnel Policies and Procedures Manual: Hampton suggested staying with the current method of accruing vacation time on a per paycheck basis, but he would like to see the vacation liability reduced to no more than 40 hours on January 1st of each year. He suggested giving employees until December 31, 2016 to spend their vacation down to that level. Anderson said it boils down to policy and asked the board what theirs should be. Discussion supported Hampton's recommendation. Anderson will re-draft the policy for the next meeting.
 - F. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by Hampton/Anders to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** Smith left and everyone else remained for the closed session, which began at 7:42 P.M.
 - G. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session: **MOTION** by DuPlayee/Anders to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:27 P.M. and there was no action as a result of the closed session.
- III. CLERK'S REPORT: There were 2064 voters at the November 3rd election, which proceeded smoothly.
- IV. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton reported that he had obtained a quote from Masterpiece Exteriors for \$7,450 to replace 10 windows on the West and South sides of the Town Hall.
 - B. The 2015-2019 Transportation Improvement Program is available at the Town Office.
- V. COMMITTEE REPORTS:
- A. Emergency Government Committee: Hydrite Chemical has agreed to donate a new computer for use by the committee.
- VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 4-0.** The meeting ended at 8:35 P.M.

Kim Banigan, Clerk
Approved 12/1/2014

Closed session minutes approved and kept closed.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 1, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debbie Simonson, Treasurer Trainee Debra Abel, Highway Superintendent Jeff Smith, and Attorney Connie Anderson. Other attendees are listed on the sign in sheet available in the Clerk's office.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by DuPlayee/Fonger to approve the minutes of the November 17, 2014 open session. **MOTION CARRIED 4-0-1.** (Williams abstained).
 2. **MOTION** by DuPlayee/Anders to approve the closed session minutes from November 17, 2014 with the addition of Connie Anderson's last name in item I, and to keep them closed. **MOTION CARRIED 4-0-1.** (Williams abstained).
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22909-22943. **MOTION CARRIED 5-0.**
 2. The Treasurer reported that bank signature cards to change the check signers to reflect the new treasurer are ready to sign, and will go into effect on December 6th when Debra Abel takes over as Treasurer.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Plan Commission Recommendations: Discuss/Consider adoption of a Resolution Establishing Public Participation Procedures for an Update to the Comprehensive Plan for the Town of Cottage Grove: **MOTION** by Fonger/Williams to adopt the resolution as presented. It will be Town Board Resolution 2014-08. **MOTION CARRIED 5-0.**
- B. Discuss/Consider adoption of a Resolution to appoint Debra Abel as Town Treasurer effective on December 6, 2014, to complete the current term running through April 30, 2016: **MOTION** by Williams/Anders to adopt the resolution as presented. This will be Town Board Resolution 2014-09. **MOTION CARRIED 5-0.**
- C. Discuss/Consider adoption of a Resolution Amending the 2014 Town of Cottage Grove Budget: **MOTION** by Anders/DuPlayee to adopt the resolution as presented. This will be Budget Resolution 2014-02. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of attendees for the Dane County Towns Association meeting on December 10, 2014. **MOTION** by DuPlayee/Anders to allow Hampton, Anders and DuPlayee to attend. **MOTION CARRIED 5-0.**
- E. Discuss/Consider amending the TCG Personnel Policies and Procedures Manual: Motion by Anders/Williams to table. **MOTION CARRIED 5-0.**
- F. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 1, 2014

bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department. **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The Board, Clerk, Treasurer, Treasurer Trainee and Attorney Anderson stayed for the closed session, all others left the meeting. The closed session began at 7:18 P.M.

- G. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session: **MOTION** by Anders/Williams to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 7:53 P.M. **MOTION** by Anders/DuPlayee to approve the agreement for dissolution of the joint police department as presented in closed session tonight. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: The board thanked outgoing Treasurer Debbie Simonson for her nearly 19 years of service.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Village President is refusing to sign the acknowledgment page for the resolution adopted by the commission regarding financing of turn-out gear. The Town Board will need to consider releasing the check for the Town's portion of the expense for the gear without the signature.
- B. Joint Town/Village Landfill Monitoring Committee: Tests all came back clean and 2014 monitoring costs are under budget.

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

Kim Banigan, Clerk

Approved 12-15-2014

Closed session minutes approved and kept closed.

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WI 53527

BUDGET RESOLUTION NO. 2014-02

A resolution allocating unassigned funds and amending the 2014 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

BE IT RESOLVED by the TOWN BOARD of the Town of Cottage Grove that the following adjustments be made to the 2014 Town budget:

Revenue		Expense		Explanation
43000 Hydrite Chemical Funds	+\$930.22	50930 Hydrite Settlement Expenses	+\$930.22	Funding for 2014 Replacement Well Testing
43050 ATC Impact Fees Applied	+\$243.88	52300 Park Expense	+\$243.88	Use of ATC Impact Fees for tree replacement in Town parks
42320 Promissory Note Proceeds	+\$38,750.00			Additional borrowing per Resolution 2014-05
		51400 EMS Expense	+\$13,856.43	Town's Share of Turnout Gear
		51770 Contractor Expense	+\$1,970.14	Valley Street Project
		50790 4091 CTH N Maintenance	+\$21,918.50	Repairs to Former Town Garage
		50750 Flynn Hall Expenses	+\$1,004.93	Toward unplanned replacement of door at Flynn Hall
Total change in revenues:	+\$39,924.10	Total change in expenses:	+\$39,924.10	
	Net Change:		+\$0.00	

As a result of the adjustments above, the amended budget amounts for the affected accounts will be:

	Before	After
Affected Revenue Accounts		
43000 – Hydrite Chemical Funds	\$0.00	\$930.22
43050 – ATC Impact Fees Applied	\$0.00	\$243.88
42320 – Promissory Note Proceeds	\$235,000.00	\$273,750.00
Affected Expense Accounts		
50930 – Hydrite Settlement Expenses	\$0.00	\$930.22
52300 – Park Expense	\$5,000.00	\$5,243.88
51400 – EMS Expense	\$111,169.53	\$125,025.96
51770 – Contractor Expense	\$6,000.00	\$7,970.14
50790 – 4091 CTH N Maintenance	\$3,000.00	\$24,918.50
50750 – Flynn Hall Expenses	\$1,300.00	\$2,304.93

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 1st day of Dec, 2014.

TOWN OF COTTAGE GROVE

ATTEST:



Kris Hampton, Town Chair



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WISCONSIN 53527

TOWN BOARD RESOLUTION 2014-08

ESTABLISHING PUBLIC PARTICIPATION PROCEDURES FOR AN UPDATE TO THE COMPREHENSIVE PLAN FOR THE TOWN OF COTTAGE GROVE, WISCONSIN

The Town Board of the Town of Cottage Grove, Wisconsin does ordain as follows:

WHEREAS, §66.1001(2)(i), Wisconsin Statutes, requires that the Town of Cottage Grove, Wisconsin update its comprehensive plan at least once every ten years; and

WHEREAS, the Town intends to prepare and adopt an update to the Town of Cottage Grove Comprehensive Plan, under the authority of and procedures established by §66.1001(4), Wisconsin Statutes; and

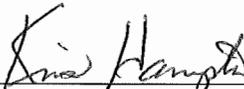
WHEREAS, §66.1001(4)(a), Wisconsin Statutes, requires that the Town Board adopt written procedures designed to foster public participation at every stage of the plan update or amendment process, and that such written procedures provide for wide distribution of draft plan materials, an opportunity for the public to submit written comments on the plan materials, and a process for the Board to respond; and

WHEREAS, meaningful public involvement in processes to update and subsequently amend the Town Comprehensive Plan is important to ensure that the resulting plan meet the wishes and expectations of the public; and

WHEREAS, the attached "Public Participation Strategy and Procedures for the Town of Cottage Grove Comprehensive Plan" includes procedures to foster public participation, ensure distribution of draft plan materials, provide opportunities for written comments, and provide mechanisms to respond to such comments.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Cottage Grove, Wisconsin hereby adopts the procedures included in the "Public Participation Strategy for the Town of Cottage Grove Comprehensive Plan" as its public participation procedures for an update to its Comprehensive Plan and subsequent periodic amendments to such updated plan, meeting the requirements of §66.1001(4)(a), Wisconsin Statutes.

Enacted this 1st day of December, 2014



Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk

Public Participation Strategy for the Town of Cottage Grove Comprehensive Plan
(ADOPTED 12/1/14)

Introduction

A required component of Section 66.1001 of Wisconsin Statutes—the State’s comprehensive planning legislation—is to actively involve community stakeholders throughout the process to prepare, update, or amend a local comprehensive plan. Public participation helps to ensure that the resulting comprehensive plan accurately reflects the vision, goals, and values of the citizens of a community.

Section 66.1001(4)(a) of Wisconsin Statutes requires the Town of Cottage Grove to adopt, by resolution, written procedures designed to foster public participation at every stage in the update to or subsequent amendment of its comprehensive plan. The written procedures must provide for wide distribution of the comprehensive plan, an opportunity for the public to submit written comments on the plan, and provisions for local response to such comments.

This document is intended to fulfill this statutory requirement. It outlines the procedures that will be followed to consider and adopt the update and subsequent periodic amendments to the Town’s 2015 Comprehensive Plan, until such time as the Town once again prepares another full update to its Comprehensive Plan.

Goals Addressed by this Public Participation Strategy

- Provide opportunities for people to participate in processes to consider and adopt an update and subsequent amendments to the Town’s Comprehensive Plan.
- Adopt provisions in the update and subsequent amendments that reflect the ideas, desires, and objectives of most residents and property owners.
- Use the Town’s Plan Commission as a foundation for guiding the plan update/ amendment processes.
- Meet the requirements set forth in Section 66.1001 of Wisconsin Statutes.
- Recognize that the goals expressed above must be balanced with the need to complete the comprehensive plan update/amendments within a reasonable timeframe.

Public Participation Techniques

Community participation will focus around meetings of Town Plan Commission, Town Board, or joint meetings of the two bodies. The Town will, at a minimum, use the following techniques to obtain public input during its plan update process and each subsequent plan amendment process:

- Ensure that all Plan Commission and Town Board meetings to consider, discuss, and adopt the Comprehensive Plan update/amendments are open to the public, and are noticed as required by State open meeting regulations.
- Provide at least some opportunity at all public meetings for public comment, at the discretion of the Plan Commission or Town Board. Some meetings will be specifically intended to encourage wide participation from the public. Other meetings will be primarily intended to be work sessions for the Plan Commission, Town Board, or some combination. With respect to the latter, a public comment period will be included at the end of the work session, the beginning of the work session, or both. This will allow the Commission or Board to

concentrate on completing tasks without interruption, while still allowing the public an appropriate opportunity to observe and provide comments.

- Hold one formal public hearing on the proposed comprehensive plan update or amendments and the adopting ordinance prior to adoption. All members of the public will have an opportunity to present testimony and offer comments at the public hearing. The public hearing will be noticed and held per the requirements of Wisconsin Statutes, Section 66.1001.

Opportunities for Comments on the Draft Comprehensive Plan Update/Amendments

The Town will have available copies of draft plan update/amendment materials at the Town Hall during normal business hours, and on the Town's web page. The Town will also provide copies of the draft and final plan update/amendments to adjacent and overlapping governments and non-metallic mineral interests as required by statute, and to members of the participating public as requested. The Town may charge for public copies an amount equal to the costs of time and materials to produce such copies.

Public comments will be solicited and responded to at every stage of the plan update/amendment processes. Written comments on the comprehensive plan update/amendments may also be delivered, mailed, or e-mailed to the Town Clerk. The Town will respond to written comments via mail, e-mail, telephone, meeting, and/or through consideration of appropriate changes to the comprehensive plan.

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WISCONSIN 53527

TOWN BOARD RESOLUTION 2014-09

RESOLUTION APPOINTING TOWN TREASURER

WHEREAS, at the Annual Town Meeting held on April 11, 2006, the electors of the Town of Cottage Grove adopted Town Meeting Resolution 2006-05, and pursuant to Wis. Stat. § 60.10(1)(b)(2m) voted to change the office of Town Treasurer from an elected office to an appointed office, and

WHEREAS, on April 1, 2013, the Cottage Grove Town Board appointed Deborah Simonson to the office of Town Treasurer for a three-year term to expire at 12:00 A.M. on April 30, 2016, and

WHEREAS, on July 23, 2014, Deborah Simonson provided written notice that she would resign her position as Town Treasurer effective December 5, 2014,

NOW, THEREFORE, the Cottage Grove Town Board hereby resolves that Debra Abel is appointed to the office of Town Treasurer effective at 12:00 A.M. on December 6, 2014, to complete the term of office expiring at 12:00 A.M. on April 30, 2016.

Adopted 1st day of December, 2014 by a vote of 5 for, 0 against and 0 abstain by the Cottage Grove Town Board.



Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 15, 2014

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Public Works Employee Norm Schmelzer and Attorney Connie Anderson.
- B. Hampton called the meeting to order at 7:05 P.M.
- C. Minutes of previous meeting(s):
1. **MOTION** by Williams/DuPlayee to approve the minutes of the December 1, 2014 Public Hearing, Special Meeting of the Electors, and Town Board meeting as printed. **MOTION CARRIED 5-0.**
 2. **MOTION** by Fonger/DuPlayee to approve the minutes of the December 1, 2014 closed session as presented, and to keep them closed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills: **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #22944-22996, including voided check numbers 22980, 22982, 22993. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider quotes for a new loader: Smith had gotten three quotes, all prices are with trade-in:
- Miller Bradford (Case Loader): \$93,950 with 3 year warranty
 - Fabco Equipment (CAT loader): \$82,000 with 2 year/2,000 hour warranty
 - Brooks Tractor (John Deere Loader): \$90,750 with 3 year warranty
- Fabco salesperson Dan Devault, a Town resident, was present, and said that third year of warranty would be an inexpensive addition. Smith said that the loaders are all comparable although each has it's own unique advantages. For the cost difference he could not see any reason not to go with the CAT. **MOTION** by DuPlayee/Anders to approve the purchase of a CAT loader from Fabco Equipment, including a 3 year warranty, with trade-in cost not to exceed \$83,000.00. **MOTION CARRIED 5-0.**
- B. Discuss/Consider quotes for replacement of Town Hall windows: Two quotes were received to replace the 10 windows:
- Masterpiece Exteriors, Inc: \$7,450.00
 - Aesthetic Siding & Remodeling: \$4,000.00
- MOTION** by DuPlayee/Williams to accept the quote from Aesthetic Siding and Remodeling to replace the 10 windows for \$4,000.00 **MOTION CARRIED 5-0.**
- C. Discuss/Consider releasing check to Deer-Grove EMS for Town's share of new turnout gear: The Board put a hold on the check issued back on October until the other two participating municipalities in the Deer-Grove EMS district signed an acknowledgment of the EMS Commission's resolution regarding financing of the turnout gear. The Cottage Grove Village

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President is refusing to sign the acknowledgment on the advice of their insurance agent and legal counsel. Attorney Anderson said she has had conversations and emails with the Village Attorney on this matter, and has been assured that the Village will pay its share of the loan payments. She recommended that the Town Board go ahead and release the check.

MOTION by Hampton/Fonger to release the check immediately. **MOTION CARRIED 5-0.**

- D. Discuss/Consider recommendation from the DCTA regarding an ordinance on Implements of Husbandry: Discussion was that without such an ordinance, weight limits for implements of husbandry have increased due to recent legislation. **MOTION** by Anders/DuPlayee to schedule a public hearing on January 5, 2015 for creation of an ordinance to establish a permit requirement for implements of husbandry. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of an Agreement (with the Village of Cottage Grove) regarding designation of funds for parking lot improvements from the 2014 Emergency Services Building Budget: Atty. Anderson said that the agreement was acceptable to her. The village Board has already approved it. **MOTION** by Anders/DuPlayee to approve the Agreement Creating an Emergency Services Building Property Repair Fund as presented. **MOTION CARRIED 5-0.**
- F. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by DuPlayee/Anders to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The room was cleared except for the Town Board, Clerk, Treasurer and Atty. Anderson, and the closed session began at 7:57 P.M.
- G. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session: **MOTION** by Anders/DuPlayee to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:07 P.M. **MOTION** by Hampton/DuPlayee to approve the amendment to the Joint Cottage Grove Police Department Dissolution Agreement as discussed in the closed session. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

A. Emergency Government Committee: There was not a quorum at the November meeting.

VI. Adjournment: **MOTION** by Williams/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:09 P.M.

Kim Banigan, Clerk
Approved 01/04/2015

TOWN OF COTTAGE GROVE
TOWN BOARD CLOSED SESSION MINUTES
DECEMBER 15, 2014

- I. Consider/Adopt motion to move into closed session pursuant to Wisconsin Statute 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Dissolution of Joint Town/Village Police Department: **MOTION** by DuPlayee/Anders to move into closed session for the reason stated above. **ROLL CALL VOTE – FONGER, ANDERS, HAMPTON, WILLIAMS AND DUPLAYEE ALL AYES.** Town Clerk Kim Banigan, Treasurer Debra Abel and Attorney Connie Anderson were also present. The closed session began at 7:57 P.M.
- II. Attorney Anderson reported that Chief Hughes has signed the separation agreement. A proposed amendment to the dissolution agreement (attached as Exhibit A) incorporates the separation agreement, and limits the Town's obligations to 38.8 % of wages, single health, dental and life insurances premiums, and accrued but unpaid vacation as of December 31, 2014. This amount will be offset against the \$23,209.00 due from the Village as per the original dissolution agreement, with payment due to the Village on or before January 31, 2015. This amount² will be paid from the Town's 2015 Police Department budget. Attorney Anderson recommended that the Board approve the amendment when they reconvene to open session.
- III. Consider/Adopt motion to reconvene to open session to take any actions necessary from closed session: **MOTION** by Anders/DuPlayee to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:07 P.M.

Kim Banigan, Clerk

Approved and made an open record 01-05-2015