

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
JANUARY 5, 2015

**PUBLIC HEARING REGARDING POSSIBLE ADOPTION OF AN ORDINANCE
REGULATING AGRICULTURAL COMMERCIAL VEHICLES AND IMPLEMENTS OF
HUSBANDRY**

- 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, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debra Abel and Highway Superintendent Jeff Smith. A list of other attendees is available at the Clerk's office.
- II. Hampton called the public hearing to order at 7:00 P.M., and asked if there were any questions or comments. Dwight Huston asked what it is all about, and Hampton explained that the State recently increased weight and length limits for agricultural commercial vehicles and implements of husbandry. The proposed ordinance, drafted by the Dane County Towns Association, allows Towns to require a permit to exceed the former limits. There were no further questions or comments.
- III. **MOTION** by Fonger/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:03 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting and attendance were as described for the public hearing above. Deputy Jennifer Grafton arrived near the end of the meeting.
 - B. Hampton called the meeting to order at 7:03 P.M.
 - C. Minutes of previous meeting(s):
 1. **MOTION** by DuPlayee/Williams to approve the open session minutes of the December 15, 2014 Town Board meeting as printed. **MOTION CARRIED 5-0.**
 2. **MOTION** by Fonger/DuPlayee to approve the minutes of the December 15, 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 #22997-23047, including voided check numbers 22979 and 23046, and hold check #23012 until the work is complete. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of December 2014 per diems as presented. **MOTION CARRIED 5-0.**
 3. **MOTION** by Anders/DuPlayee to approve payment of \$1,110.00 to Tom Viken for December 2014 building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.
 - F. Road Right of Way Permits: None.
- II. BUSINESS:
 - A. Plan Commission Recommendations:
 1. Brett & Laura Dollar, 3111 Siggelkow Road – seeking rezone of 1.864 acres from R-1A to A-2 with a conditional use permit for a limited family business to allow for indoor storage of snow removal and construction equipment: **MOTION** by DuPlayee/Fonger

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to accept the Plan Commission's recommendation to approve a rezone of 1.864 acres from R-1A to A-2 and to approve a conditional use permit for a limited family business for snowplowing and contractor activities, as allowed under DCCO sections 10.126(3) (m) Limited Family Business and (r) seasonal storage of recreational vehicles. All equipment must be stored inside the new building which is planned to be 36' x 63' x 12' at truss bottom. All six findings of fact under DCCO section 10.255(2)(b) were considered to be satisfied. **MOTION CARRIED 5-0.**

2. Dennis Richardson, Agent/Applicant, Huston Living Trust, owner – seeking 10-year extension of Conditional Use Permit for existing mineral extraction site at 3355 County Road N (a.k.a. the “Skaar Pit”): Carolyn Dahl, 3663 T-Bird Way, asked why the CUP was for 10 years vs. annually as has been the case. She was advised that what is being considered tonight is a recommendation to Dane County regarding the conditional use permit, not the Town's non-metallic mining permit, which will continue to be considered annually. Dale and Dwight Huston were in attendance, along with Dennis Richardson. They indicated there are no operational changes planned. The current CUP condition (#15) prohibiting water from leaving the site was briefly discussed, with thoughts that the reason it was imposed was to prevent a high-capacity well from being drilled on the property. Since water is pumped from the retention pond and used to water the driveway, it was requested to remove that condition so they will not be deemed in violation if any left over water is taken to water other locations. It was suggested that a condition be added to prohibit high capacity wells directly. **MOTION** by Anders/Williams to approve a 10 year extension of CUP 2136, with condition #15 regarding no water leaving the site changed to state that no high-capacity wells are allowed on the property. All findings of fact under DCCO section 10.255(2)(b) were considered to be satisfied. **MOTION CARRIED 5-0.**
- B. Discuss/Consider adoption of TCG Ordinance section 08.09 Regulations Applicable to Agricultural Commercial Vehicles and Implements of Husbandry: Discussion was that the Town Board should serve as the agent for administering the permit. There was confusion over language in on section (2) referring to 348.15(3)(g), with thoughts that it should refer instead to 348.15(3)(c). It seemed that the ordinance as drafted by the DCTA only allows the town to restrict weights per axle, but this restriction alone was still deemed as important enough to warrant enactment of the ordinance. **MOTION** by Fonger/DuPlayee to adopt the ordinance with all references to the 'Agent' changed to the Town Board. **MOTION CARRIED 5-0.**
- C. Discuss/Consider priorities for policing of the Town: Discussion was that priority should be placed on policing speeding on Damascus, Baxter, Vilas, Sandpiper, and Vilas Hope roads, although we do not want the Town go get a reputation as a speed trap. Deputies should make an effort to meet business owners and acquaint themselves with neighborhoods. There needs to be a deputy at court each month. There should be enforcement of the new ordinance regarding agricultural commercial vehicles and implements of husbandry. Dumping in road ditches has been a problem, especially on Siggelkow Road. It is hoped that the deputies will make recommendations to the board based on what they observe. **MOTION** by Hampton/DuPlayee directing the clerk to provide these priorities to Lt. Hayes. **MOTION CARRIED 5-0.**

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- D. Discuss/Consider approval of expense to de-stripe and re-letter the 2011 Crown Victoria: The Sheriff's Department had provided a quote of \$155 to de-stripe and to \$420 to re-letter. **MOTION** by Anders/Fonger to approve the quote. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval for the Deer-Grove EMS District to create a capital expense fund: DuPlayee said there is movement on the DGEMS Commission to show commitment to the district by setting aside funds toward capital expenses. Hampton said he opposes the idea because of the changing contribution levels of the municipalities due to changes in equalized value, which could mean the Town will pay more for capital expenses if our contribution level goes down between the time the money is set aside and the expense occurs. He noted that the Town has never refused to fund a capital purchase when the need has been demonstrated. **MOTION** by Fonger/Hampton to recommend that Deer-Grove EMS NOT create a capital expense fund. **MOTION CARRIED 3-2.** (Anders and DuPlayee opposed).
- F. Discuss/Consider approval for the Destination Imagination group to use Flynn Hall: There was discussion that this use on weekends could cut into revenue possibilities if it means turning away potential renters. **MOTION** by Williams/Anders to allow the group to use Flynn Hall as long as they remain flexible to move to the Town Hall in the event that an opportunity to rent Flynn Hall arises. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of attendees for 2015 WTA District Meetings: **MOTION** by Hampton/Anders to allow 3 attendees to the February 28th meeting in Whitewater. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

V. Hampton reported that:

- A. The old police station sign has been taken down and he is getting a price to re-letter it. Consensus was to go ahead as long as the cost does not exceed \$750.00. He said Greyhound did an initial cleaning of the police station on January 2nd. DCSO is asking for changes to a fenced area in the garage to allow parking of both vehicles.
- B. Miller Bradford plans to build on Capital Underground's business condo property on Hwy 12 & 18. Hampton and Smith met with them recently to discuss their plans.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: see above.
- B. Joint Town/Village Fire Department Committee: The committee viewed the hose tower repairs and approved \$14,000 to be set aside in the parking lot improvement fund (\$7,000 from the Town and \$7,000 from the Village).

VII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:35 P.M.

Kim Banigan, Clerk
Approved 01-19-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JANUARY 19, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton 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, and Deputy Brian Biwer.
- B. Hampton called the meeting to order at 7:00P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the January 5, 2015 Public Hearing and Town Board meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills: **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23048-23111, holding check #23110 until the Chair has reviewed the November law enforcement bills. **MOTION CARRIED 5-0.**
- E. Public Concerns: Deputy Brian Biwer suggested that there be a regular monthly agenda item to review the police activities report that the Sheriff's office will supply. The Clerk suggested that this be on the agenda of the second meeting of the month.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider approval of a Parade, Procession or Race permit for a relay foot race on June 12, 2015, to include portions of Vilas Road and Glacial Drumlin trail crossings at Uphoff and Ridge Roads. Applicant is Elizabeth Murdock, applicant representing Ragnar Events, LLC: The Clerk stated that Police, Fire and EMS had been notified of the application and had not expressed any concerns. **MOTION** by Anders/Williams to approve the permit as applied for. **MOTION CARRIED 5-0.**
- B. Review the first two weeks of policing of the Town by the Dane County Sheriff's Department: DuPlayee commented that he has heard there have been a lot of traffic stops on US Hwy 12 & 18 and the County Roads, but he would like to see more enforcement on Town Roads and subdivisions. Deputy Biwer said that the Clerk had just recently forwarded the Board's direction from the January 5th meeting, and they may even bring in the Sheriff's Department traffic officers to patrol some of the roads where the most speeding is taking place.
- C. Discuss/Consider approval of expense to re-letter the Police Station sign: **MOTION** by Anders/DuPlayee to approve the cost to re-letter the sign, not to exceed \$945.00. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of a new dump truck: Smith had managed to get truck pricing under the City of Madison's bid, which will result in a substantial savings over what was budgeted. The cost for a 2016 7400 SFA 4x2 (SA525) chassis was quoted at \$82,896.49. Two optional warranties are offered, both for 84 months/3600 hours/100,000 miles. The basic warranty is \$6,000 and the second option includes the aftertreatment system for an additional \$1600.00. Smith said that while he generally does not believe in extended warranties, given the complexity of engines nowadays, he would have to recommend both warranties. **MOTION** by Fonger/DuPlayee to approve the purchase of the patrol truck chassis, including both warranties, as quoted (total cost of \$90,496.49) **MOTION CARRIED 5-0.**

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- E. Discuss/Consider approval of replacing the front door at Flynn Hall: Hampton had obtained a quote from Kudrna Construction, Inc. to replace and paint the door and frame for \$3,600.00. There was discussion about what color to paint it, resulting in direction to the Clerk to contact the Historical Society and Lions club for their input. **MOTION** by DuPlayee/Williams to accept Kudrna Construction's quote and come back with color choices. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of replacing the storm door at the rear entrance of the Town Hall: Smith estimated a cost of \$250 to replace the storm door, which has been missing since it was damaged by the wind last summer. The Clerk mentioned that her husband had a door from a demolition job that he thought might work, and the Town could have it at no charge. **MOTION** by DuPlayee/Anders to approve replacement of the storm door, not to exceed \$250. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of lighting upgrades for the former Town Garage at 4091 Hwy N: A lighting quote from Everything Electrical LLC was selected in 2014 for the upgrade, with the price still being good in 2015. **MOTION** by Fonger/Williams to approve the lighting upgrades listed in the quote from Everything Electrical LLC under Option 2 and Basement, for a total not to exceed \$2,500. **MOTION CARRIED 5-0.**
- III. CLERK'S REPORT: The Town will need to hold a February primary, but only for the Marshall School district, which currently includes just 27 registered voters.
- IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Town has taken possession of two bicycles previously used by the joint police department, and he has offered to sell them to Deer-Grove EMS for their bike medic program.
- V. COMMITTEE REPORTS:
 - A. Emergency Government Committee: There will be a dry run emergency event at the February 4th meeting, which is to include the Clerks and public works directors.
 - B. Deer-Grove EMS Commission: DuPlayee reported that there is still interest among the commission in a creating a capital expense fund. The Village of Deerfield recommended that one be created not to exceed 20-25% of surplus (carry-over) funds on an annual basis. The Village of Cottage Grove has not considered it yet.
- VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:00 P.M.

Kim Banigan, Clerk
Approved 2-2-2015

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
FEBRUARY 2, 2015

PUBLIC HEARING REGARDING AN ORDINANCE REPEALING THE JOINT COTTAGE GROVE
POLICE DEPARTMENT AND LAW ENFORCEMENT COMMITTEE AND AFFIRMING SERVICES
BY THE DANE COUNTY SHERIFF'S OFFICE.

- 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, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Jeff Smith.
- II. Hampton explained the intent of the ordinance amendment and asked if there were any questions. There were none.
- III. **MOTION** by Anders/Fonger to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice and attendance of the meeting were as described above for the public hearing.
 - B. Hampton called the meeting to order at 7:01P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the January 19, 2015 Town Board meeting with correction of one word in item II. B. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #23112-23162 as presented. (check 23163 was also approved under item II. E. below) **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of January per diems as presented, and payment of \$2,705.00 to Tom Viken for January building permits. **MOTION CARRIED 5-0.**
 3. The Treasurer reported that the auditors are coming on February 12th for the 2014 field audit.
 - E. Public Concerns: Smith suggested that board members think about putting up a stop sign at the corner of Sandpiper Trail and Bluebird Lane to deter drivers from cutting the corner when they take a left-hand turn.
 - F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to permit Alliant to jack & bore and trench across the right-of-way at 2092 Uphoff Road for installation of new primary line. **MOTION CARRIED 5-0.**
- II. BUSINESS:
 - A. Ryan Hastings representing the Wisconsin Chapter of the American Parkinson Disease Assoc., Inc:
 1. Discuss/Consider approval of a Parade, Procession or Race permit for a half marathon and a 5K run to include Town Road crossings of the Glacial Drumlin trail for four hours beginning at 8:00 A.M. on April 18, 2015. Applicant has requested a waiver of the permit fee and deposit due to the charitable nature of the event and low impact on Town

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Roads and resources: It was noted that prior year versions of this event have taken place without incident. **MOTION** by DuPlayee/Anders to approve the Parade, Procession or Race permit and letter to notify residents, and to waive the fees due to the charitable nature of the event. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of charging the Town Resident rate for Town Hall rental on April 17, 2017 for registration for the half marathon: **MOTION** by Williams/DuPlayee to approve the Town Resident rate for the rental, again due to the charitable nature of the event. **MOTION CARRIED 5-0.**
- C. Discuss/Consider adoption of an ordinance repealing the Joint Cottage Grove Police Department and Law Enforcement Committee and affirming services by the Dane County Sheriff's Office: **MOTION** by Williams/DuPlayee to adopt Ordinance 2015-01 repealing the Joint Cottage Grove Police Department and Law Enforcement Committee and affirming services by the Dane County Sheriff's Office, which amends section 04.01, and repeals section 04.05, reserving it for future use. **MOTION CARRIED 5-0.**
- D. Discuss/Consider amending the Personnel Policies and Procedures Manual: Attorney Anderson has indicated she is working on further revisions to this. **MOTION** by Hampton/Anders to table until the next meeting. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of down payment for dump box package and plow for 2016 Patrol truck: Smith explained that the Town can save \$834 if a 50% down payment is made to Burke Truck at the time they order the box. **MOTION** by DuPlayee/Fonger to approve payment of \$29,810.00 to Burke Truck using check #23163. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of Treasurer Deb Abel as a cardholder for the Town Office Visa card: **MOTION** by Fonger/Williams to approve Treasurer Deb Abel as a cardholder for the Town Office Visa card. **MOTION CARRIED 5-0.**
- G. Discuss/Consider whether to provide snacks for DCTA meeting on February 18, 2015: **MOTION** by Anders/DuPlayee to spend up to \$50 for snacks for the DCTA meeting, including cheese, sausage, crackers, cookies, bottled water and milk. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton:
 - 1. Hydrite Chemical has submitted an application to the DNR for construction and operation of 4 new projects. Details are available at the Town Hall.
 - 2. DCTA Atty. Hazelbaker has asked the Town to approve a letter in support of allowing towns to withdraw from county zoning. This will be on the next agenda for action.
 - 3. A new dishwasher for the Emergency Services Building has been ordered.
 - 4. The December joint police billing was received from the Village on Friday January 30th. Hampton has questions about wages, which are substantially higher than November, and whether the December cell phone and cable bills were in advance for January service.
 - 5. The 2011 Crown Vic has the new police decals on it, and has had an oil change and new battery installed. There will need to be a battery tender installed at the police station to keep it charged since it is not used very often.

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- B. Williams reported that she consulted with the State Historical Society regarding colors for the new door at Flynn Hall, and was told white would be the most likely color of the era when Flynn Hall was built, with gray being another option. Discussion leaned toward light brown.
- C. Anders reported that he will attend a short-notice 911 center board meeting on February 5th called by Director John Dejung.

V. COMMITTEE REPORTS:

- A. Joint Town/Village Landfill: No report.

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

Kim Banigan, Clerk
Approved 02-16-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 16, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton 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, Attorney Connie Anderson, Caption Jeff Teuscher and Deputy Brian Biwer.
- B. Hampton called the meeting to order at 7:03P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the February 2, 2015 Public Hearing and Town Board meeting with the addition of the cost of the truck down payment in item II. E. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Williams to approve payment of bills corresponding to checks #23164-23370 as presented. **MOTION CARRIED 5-0.**
 - 2. Treasurer Abel reported that the field audit on February 12th went well, and she has her first installment tax settlement with the County Treasurer on February 19th. She asked that February per diem reports be submitted by March 1st.
- E. Public Concerns: Cindy Butteris, 4136 Vilas Road, provided a copy of an invoice she submitted to the Village of Cottage Grove on December 31, 2014 for trees removed from her property. There was consensus to put this on the March 2nd agenda if she still has not received payment, for possible referral to the Town Attorney.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Review January police activities: Captain Teuscher provided a handout graphing Town calls for service and citations by type. He noted that the figures represent all DCSO activities in the Town, not just those of the contracted deputies. There were 202 calls for service and 95 citations issued in the month of January. 115 of the calls for service were traffic related, and Captain Teuscher reported that about half of the traffic citations were issued by contracted deputies. There were two significant incidents in January: a suicide and a fatal accident. Discussion was that board members have been receiving positive feedback from residents regarding services and visibility of our contracted officers, and are pleased with the services provided so far by DCSO.
- B. Discuss/Consider amending the Personnel Policies and Procedures Manual: Attorney Anderson presented a memo outlining the rationale behind her recommended changes to the vacation policy. The policy itself contains a chart showing the annual vacation benefit based on years of service and the maximum vacation benefit that can be accrued at any point in time. Discussion was to modify the years of service in the chart as follows: 0 – 6 months of service: no vacation accrues, 6 months to 5 years: 2 weeks accrue per year. 5-12 years: 3 weeks accrue per year. 12-20 years: 4 weeks accrue per year. 20+ years: 5 weeks accrue per year. The recommended policy would limit the maximum vacation accrual to an employee's annual vacation benefit plus one week at any time. Because the current policy only enforces a maximum accrual on an annual basis, some employees will have to spend down some vacation to come into compliance with this. Discussion was to give them until October 1,

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- 2016 to do that. **MOTION** by Anders/Fonger to adopt Resolution 2015-01 Adopting Vacation Policy for Inclusion in Employee Handbook, as recommended by Attorney Anderson, with the changes as discussed tonight incorporated. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a certified survey map for Patrick & Peggy Coffey, 4452 Ridge Rd: **MOTION** by DuPlayee/Anders to approve the CSM identified as Dwg. No. 4544-14 dated 02/05/2015. **MOTION CARRIED 5-0.**
- D. Discuss/Consider response to DOA Annexation Review Questionnaire for 2863 County Rd. BB. The Clerk had completed the factual content of the questionnaire, leaving the comments to the board. Attorney Anderson noted that the petition references a cooperative agreement under ss. 66.0307, but the Town does not have any such agreement with the Village of Cottage Grove. **MOTION** by Hampton/DuPlayee directing Attorney Anderson to contact Erich Schmidtke of the DOA to make him aware of the lack of cooperative agreement and other errors on the application. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of a letter to Rep. Robb Kahl in support of allowing Dane County Towns to withdraw from County Zoning: Williams does not support this letter, feels that there are good reasons for having stronger controls over where development occurs. Hampton thinks that if Towns can opt in they should be able to opt out. **MOTION** by Anders/DuPlayee to approve the letter to Rep. Robb Kahl in support of allowing Dane County Towns to withdraw from County Zoning. **MOTION CARRIED 4-1** (Williams opposed).
- F. Discuss/Consider approval of the expense to install a street light at the corner of Vilas Hope Road and County Road AB: Smith reported that a new pole will be required, with an installation cost of \$395 and an annual cost of \$100. **MOTION** by DuPlayee/Williams to approve the installation and annual costs of a street light at the corner of Vilas Hope Road and County Road AB. **MOTION CARRIED 5-0.**
- G. Discuss/Consider Town Hall rental fee to non-Town residents: Historically Village residents have been allowed to rent the Town Hall at the resident rate, but historically Town residents could participate in Village recreation programs at resident rates. **MOTION** by DuPlayee/Fonger to charge Village of Cottage Grove residents at the non-resident rate for use of the Town Hall. **MOTION CARRIED 5-0.** (Flynn hall is still available to Village residents at the resident rate since the Village contributes to its upkeep expenses).
- H. Discuss/Consider approval of Greyhound Janitorial quote to strip & wax vinyl floors at the Police Station: Three options were proposed: Strip and wax the floors for \$713.00, hardscrub the floors for \$475.00, or Scrub and power buff the floors for \$116. **MOTION** by Hampton/Anders to approve spending \$713.00 for Greyhound Janitorial to strip and wax the vinyl floors at the Police Station. **MOTION CARRIED 5-0.**
- I. Discuss/Consider approval of Greyhound Janitorial quote to strip & wax the vinyl lunch room floor at the Town Garage: Two options were proposed: Strip and wax the floors for \$192.00 or hardscrub the floors for \$128.00 **MOTION** by DuPlayee/Williams to approve spending \$192.00 for Greyhound Janitorial to strip and wax the vinyl floors in the lunch room of the Town Garage. **MOTION CARRIED 5-0.**

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- J. Discuss/Consider approval of attendees to Capital Day on March 24th: Hampton plans to go.
- III. CLERK'S REPORT: The Clerk attended the recent public information meeting regarding the supervised release of a registered sex offender who DOC plans to house on Gaston Circle. It was a full house crowd with presentations made by DCSO, DOC, DHS, the Wisconsin Sex Offender Registry, and the GPS service provider for his ankle bracelet. Based on information given out that night, the Clerk expects that residents will be requesting an ordinance to restrict sex offender residency in the Town.
- IV. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton:
 - 1. The draft MPO Roadway Functional Classification Map is now available.
 - 2. Hampton gave Fonger the color swatches for the Flynn Hall door.
 - B. Anders reported that the 911 Center Board met last week and claims to have support from the Fire and EMS Chiefs for a phased approach of the new paging system, which would mean reprogramming radios multiple times.
 - C. Smith reported that the new loader has been delivered.
- V. COMMITTEE REPORTS:
- A. Emergency Government Committee: A dry run event was held at the February meeting.
- VI. Adjournment: **MOTION** by Hampton/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:45 P.M.

Kim Banigan, Clerk
Approved 3-2-2015

TOWN OF COTTAGE GROVE
Town Board Resolution 2015-01
RESOLUTION ADOPTING VACATION POLICY
FOR INCLUSION IN EMPLOYEE HANDBOOK

WHEREAS, the policies for employees of the Town of Cottage Grove are established and determined by the Town Board; and,

WHEREAS, the Town Board wishes to establish a policy that fully describes Town employees' vacation benefits; and,

WHEREAS, the Town Board has reviewed the attached policy and has considered feedback from Town employees and wishes to adopt the attached policy.

NOW, THEREFORE, THE TOWN BOARD RESOLVES AS FOLLOWS:

1. The attached Vacation Policy is hereby approved and adopted.
2. The Town Clerk shall incorporate the Vacation Policy in the Employee Handbook to replace any vacation policy that is currently set forth therein.
3. The Town Clerk shall provide a copy of the Vacation Policy to each Town employee and request written acknowledgment of the employee's receipt of same.
4. The Town Clerk shall take such actions as are prudent and necessary to implement the Vacation Policy.

Approved by Resolution of the Town Board of the Town of Cottage Grove by a vote of 5 for and 0 against on this 16th day of February, 2015.

TOWN OF COTTAGE GROVE



Kris Hampton

Town Chairperson

Attested By:



Kim Banigan

Town Clerk

TOWN OF COTTAGE GROVE VACATION POLICY

SECTION 1: ONLY “GENERAL” EMPLOYEES QUALIFY FOR VACATION BENEFITS.

General full-time and general part-time employees qualify for paid vacation. (The term “general” is used to distinguish these employees from “seasonal” and/or “limited term” employees. Seasonal and limited term employees do not qualify for vacation benefits.)

General full-time employees are employees who are hired to work a minimum of 2,080 hours per year.

General part-time employees are employees who are hired to work a minimum of 1,040 hours per year, but less than 2,080 hours per year.

SECTION 2: VACATION BENEFITS FOR GENERAL EMPLOYEES.

All general employees who satisfactorily complete the introductory period of employment with the Town qualify for vacation benefits retroactive to the date of employment. Vacation benefits are based on the following “Vacation Benefits Chart:”

	Introductory period (Usually 6 months, but can be extended)	6 months through 5 year Anniversary	5th through 10th Anniversary	12th through 20th Anniversary	20th Anniversary forward
Annual Vacation Benefit	2 weeks per year	2 weeks per year	3 weeks per year	4 weeks per year	5 weeks per year
Credited per paycheck	None until successful completion of introductory period, then 1 week will be credited all at once. (or the appropriate proration if the introductory period exceeds 6 months)	1/26th of 2 weeks	1/26th of 3 weeks	1/26th of 4 weeks	1/26th of 5 weeks
Maximum Accrual	N/A	3 weeks	4 weeks	5 weeks	6 weeks

The vacation benefits described in the Vacation Benefits Chart may be unilaterally changed by the Town Board. Town employees do not have a “vested right” or any other right to the vacation benefits (or any other benefits) set forth in the Employee Handbook. The Employee Handbook is not a contract. When vacation is properly credited to an employee’s paycheck, the employee may use the vacation benefit in accordance with the terms of the Employee Handbook in effect at the time it is used or the time the employee terminates.

During the introductory period of employment, no vacation benefit accrues to the employee. No vacation may be taken during the introductory period of employment.¹ If an employee terminates at the end of the introductory period, vacation benefits are deemed forfeited.

Employees do not qualify for a vacation benefit during unpaid leaves of absence.

General part-time employees qualify for vacation benefits using the same table as the one set forth above but on a prorated basis. For example, a 1040 hour per year employee would initially qualify for two (2) 20-hour weeks of vacation. (See details on proration and fluctuating part-time hours in Section 5.)

SECTION 3: MAXIMUM VACATION BENEFITS THAT MAY BE ACCUMULATED.

The Town Board has established certain limits on the amount of vacation that an employee can accumulate. There are two policy motivations behind these limits: (1) the Town wants its employees to enjoy his or her paid vacation during every year of employment; and, (2) the Town Board needs to manage employee benefits in a fiscally responsible manner and in accordance with the approved Town budget.

The limit or maximum amount of vacation benefits that an employee may accumulate at any given point in time (also referred to as the “ceiling”) is equal to the Annual Vacation Benefit based on years of service, as set forth in the Annual Vacation Benefits row of the Vacation Benefits Chart, **plus one week**. Once an employee reaches this ceiling, the employee shall not be eligible to receive any additional vacation benefits until he/she takes vacation. When accumulated vacation time falls below the ceiling, the employee shall once again be able to accumulate vacation benefits, up to the ceiling.

Each employee shall have the duty to carefully monitor his or her own vacation benefits. This is not the Town’s responsibility. Clerical errors made by the Town or the Town’s payroll service will be corrected as soon as reasonably possible following notice of the error.

SECTION 4: SCHEDULING VACATION: WHEN VACATION MAY BE TAKEN.

No vacation may be taken during the introductory period of employment.²

Employees shall consider the Town’s operational needs first when scheduling vacation.

All vacation must be scheduled in advance and the dates requested must be approved by the employee’s direct supervisor. If the employee has no direct supervisor, the request shall be made to the Town Clerk and shall require an affirmative recommendation from the Town Clerk and approval by the Town Chairperson.

Exceptions to the above policies are discouraged. In an emergency or other appropriate circumstances, an exception may be made by the Town Chairperson. The Town

¹ In extraordinary circumstances, exceptions may be made on terms approved by the Town Board.

² In extraordinary circumstances, exceptions may be made on terms approved by the Town Board.

Chairperson's prior consultation with the Town Board is expected where circumstances permit.

Section 5: PRORATION OF VACATION BENEFITS FOR GENERAL PART-TIME EMPLOYEES.

Vacation benefits for general part-time employees shall be provided on a pro-rated basis.

Example of proration for half-time employee: An employee hired for a 20 hour workweek will work 1040 hours per year. During the employee's first year of service, the employee will earn two (2) weeks of vacation. On the employee's sixth year of service, the employee will earn three (3) weeks of vacation. The employee may use vacation in accordance with the Town's vacation policy. If the employee takes one week of vacation, the Town will pay the employee for 20 hours of service for the week.

Calculation of Prorated Vacation Hours Earned When Part-Time Employee's Actual and Anticipated Hours Fluctuate. The number of hours worked per workweek to be used for proration purposes shall be determined on the date of the part-time hire, based on the Town's anticipated needs for the part-time position. The Town Board may increase or reduce the number of hours available to a general part-time employee during the course of employment. To address a possible inequity that arises from fluctuation in part-time hours *anticipated* versus part-time hours *actually worked*, the hours of vacation for part-time employees may also be adjusted by the Town Board on an annual basis. The adjustment shall be effective on the employee's anniversary date. The adjustment would be determined based on the Town Board's consideration of the following factors: (1) weekly part-time hours anticipated on last anniversary date; (2) average weekly part-time hours actually worked from the last anniversary date to the current anniversary date; (3) anticipated hours for the coming year (that is, the year from the current anniversary date forward). The following examples shall inform the decision made by the Town Board:

- Assume employee anniversary year 6; 20 hours anticipated for year 6; average of 25 hours actually worked for year 6; and, 25 hours anticipated for upcoming year 7: Employee earned 3 twenty-hour weeks of vacation in year 6; on anniversary of year 7, employee will earn 3 twenty five-hour weeks of vacation for year 7.
- Assume employee anniversary year 6; 20 hours anticipated for year 6; average of 25 hours actually worked for year 6; and, 22 hours anticipated for year 7: Employee earned 3 twenty-hour weeks of vacation in year 6;_employee will earn 3 twenty-five hour weeks of vacation in year 7; if average hours in year 7 is actually 22 hours, then vacation for year 8 will be 3 twenty-two hour weeks of vacation.

Section 6: PAYMENT FOR VACATION BENEFITS AT TERMINATION OF EMPLOYMENT

If an employee dies, his or her estate shall be entitled to payment for all vacation benefits that have accrued but were not used as of the date of the employee's death.

If an employee resigns and gives the Town written notice of resignation at least two full weeks prior to the date of resignation, the employee shall be entitled to payment for vacation benefits accumulated and unused as follows: the maximum payment shall be based on vacation benefits accumulated but unused, not to exceed the Annual Vacation Benefit based on years of service, as set forth in the Vacation Benefits Chart. Accumulated vacation benefits that exceed the employee's Annual Vacation Benefit shall be deemed forfeited.

If an employee resigns but fails to give the Town written notice at least two full weeks prior to the date of resignation, the employee shall forfeit an additional two weeks of accumulated but unused vacation benefits. That is, the employee shall be entitled to payment for vacation benefits accumulated and unused as follows: the maximum payment shall be based on vacation benefits accumulated but unused, reduced by (1) accumulated vacation that exceeds the employee's Annual Vacation Benefit (2) two additional weeks of vacation accumulated but unused. If the reduction exceeds the vacation accumulated, the employee shall not receive any pay for vacation benefits; however, the employee shall be paid for all hours worked.

If an employee is terminated, the employee shall be entitled to payment for vacation earned and unused as follows: the maximum payment shall be based on vacation benefits accumulated but unused, not to exceed the Annual Vacation Benefit based on years of service, as set forth in the Vacation Benefits Chart. Accumulated vacation benefits that exceed the employee's Annual Vacation Benefit shall be deemed forfeited.

If an employee does not continue beyond the introductory period, no vacation benefits are paid. Vacation is not accumulated during the introductory period.

[NOTE: All employees of the Town are employed "at-will." This means that termination of employment by the Town does not require "just cause" or any cause, but rather falls within the discretion of the Town Board.]

Section 7: EFFECTIVE DATE; IMPLEMENTATION AND TRANSITION.

This Vacation Policy is adopted by the Town Board to be effective on February 16, 2015, and shall continue in effect until further action of the Town Board, *except as follows:*

For those employees who have accumulated vacation benefits that exceed the maximum or ceiling set forth in "Section 3: Maximum Vacation Benefits That May Be Accumulated," the ceiling established in Section 3 shall not take effect until October 1, 2016.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 2, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Mike DuPlayee and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Attorney Connie Anderson, Captain Jeff Teuscher, Lt. Brian Hayes, and Deputy Jennifer Grafton. A sign-in list of other attendees is available in the Clerk's office.
- B. Hampton called the meeting to order at 7:00P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the February 16, 2015 Town Board meeting as presented. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23371-23410 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Fonger to approve payment of February per diems as presented, and payment of \$280.00 to Viken Inspection Agency for February building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve two road right-of-way permits for Alliant Energy: 1) to plow underground for primary line installation at 3701 S. Hope Road, and 2) to plow underground for new electric service at 2321 Uphoff Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider resident request to study possible creation of an ordinance to restrict residency for sex offenders in the Town: There was a full house of residents here for this topic. Hampton said that the Town has obtained sample ordinances from the cities of Milwaukee and Sun Prairie, and that he has spoken with the Chair of the Town of Dunkirk where a Level 3 sex offender is living in a situation as was proposed at 4721 Gaston Circle, the target of a recent arson. Dunkirk's attorney advised against an ordinance regulating sex offender residency, but their Town Chair indicated that they are still thinking about it. Hampton then asked Attorney Anderson to provide legal advice as to what the Town can and cannot regulate.

Atty. Anderson made the following points:

- o The Cottage Grove Town Board has been granted "village powers" by the electors at a Town Meeting, which allows the Town Board to exercise powers conferred to village boards as long as they don't conflict with statutes relating to towns and town boards. One of these limitations means that the Town of Cottage Grove does not have zoning authority as cities and villages do. The Town Board does have "police powers" through these means, however, which she said could be described as "the power of the government to regulate conduct and property of some for safety and property of all." Police powers allow the Town to adopt regulations for the health, safety, welfare and convenience of the public. She felt this was applicable to the topic of government regulation of sex offender residency.
- o The process of exercising police powers must be one of "deliberate speed" that includes procedural safeguards to assure due diligence, public input and prompt action. This includes holding open meetings and careful review of both the basis for regulation and the means used for regulation.
- o Should the Town Board decide to pursue a local ordinance regarding residency of sex offenders, they will refer the matter to the Ordinance Committee. Once the committee has prepared a draft

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 2, 2015

ordinance, it will be scheduled for public review and comment at a properly noticed public hearing before the Town Board, followed by possible action by the Town Board.

- The purpose of tonight's meeting is to gather input from the community as to what issues would be appropriate for review by the Ordinance Committee.
- As was stated earlier, the cities of Milwaukee and Sun Prairie already have such ordinances, as do several municipalities in the Milwaukee area, and a legislator is currently asking for action on a state law, which would preempt local regulation. Recently, in the state of New York, the courts held the state law preempted local ordinances.

Murali Kudipudi, 4729 Gaston Circle, said he was representing the neighborhood and made the following points:

- The residents are asking the Town Board to 1) consider enacting an ordinance to prohibit property owners from leasing or renting properties in the town for the purpose of housing Level 3 sex offenders and 2) require the discontinuance of any such existing housing arrangements when the current lease is up, or one year from the effective date of the ordinance.
- Level 3 sex offenders have a high rate of re-offending, and he does not believe that DOC or DHS are doing their homework when it comes to selecting the homes to house them in. He lives right next door to the house at 4721 Gaston Circle, and has three children under 8 years of age. A nearby neighbor has three children under the age of 12, and there are 24 children within 600 feet. He provided a map showing the relative location of homes with children, as well as the distance of 2034 feet to Kid's Safari where 195+ children are cared for.
- Any home in any neighborhood could potentially be purchased for this purpose, so it is important that the Town act now to regulate it, not wait to see if the state takes action.

Maria Jaszewski, 4728 Gaston Circle, said studies indicate a drop of 6% in property values within .3 miles of a Level 3 sex offender, and that buyers are often reluctant to consider homes in such locations. Gary Garczynski, 2610 Simpson Drive, said he has seen studies showing a 17.4% decrease in property values within .1 mile, and a 10% drop within .2 mile. He was asked to forward these studies to the Town Clerk.

Ms. Jaszewski said that having a Level 3 sex offender in the neighborhood could also lead to more vehicular traffic on normally quiet streets due to law enforcement and DOC personnel, as well as other curious parties, which would also affect the safety of the neighborhood.

Carol Klubertanz, 4680 Gaston Circle, felt that the neighborhood had been blindsided by the November 2014 notice that a Level 3 sex offender would be placed there. She said it will take away the security and potential for enjoyment of the neighborhood, and asked that the Town Board enact an ordinance to prohibit this.

Marlene Web, 2615 Simpson St., said that town subdivisions do not have the lighting that is typical in cities and villages, and said that a sex offender confined to a house is likely to get restless. If he were to leave the premises, it would be difficult to see him moving about the neighborhood at night. John Huber, 2585 King Drive, and Toni Skala, 2546 Gaston Road also expressed concern about safety in the neighborhood.

Captain Teuscher said the Sheriff's Office receives notice 30 days in advance of a Level 3 sex offender being placed in a community, to allow time for a community notification meeting.

Town Board discussion: It is important to address the overall situation, not just the house on Gaston Circle. What unique features of the town should form the basis for the regulation, and what is the

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 2, 2015

appropriate separation from them? Such ordinances in other municipalities regulate areas within 1500 or 2000 feet of schools, parks, daycare centers, and areas where children are likely to congregate. What is the definition of children congregating vs. living in the Town? Playing together in a back yard? Waiting at a school bus stop? Atty, Anderson cautioned that you cannot restrict everything, there has to be a balancing of interests.

MOTION by Hampton/Williams to refer the matter to the Ordinance Committee, and direct Attorney Anderson to begin drafting an ordinance for them to review at the onset, along with the minutes of tonight's meeting and any other related materials that are received. Residents were asked to forward any studies they have found relating to property value or re-offending rates to the Town Clerk.

MOTION CARRIED 5-0.

- B.** Discuss/Consider referring non-payment by the Village of Cottage Grove of an invoice from Cindy Butteris for trees removed at 4136 Vilas Road to the Town Attorney: **MOTION** by DuPlayee/Anders directing Atty. Anderson to send a letter to the Village Attorney and Administrator asking for their cooperation in paying the invoice. **MOTION CARRIED 5-0.**
- C.** Discuss/Consider approval of an annual Implements of Husbandry permit for Frontier-Servco FS to operate 4 implements, all of which exceed statutory axle weight limits, on all Town Roads: The application was for all Town roads year around, which was not acceptable to the board. **MOTION** by DuPlayee/Williams to return the application with instructions to complete section 5 with appropriate specificity. **MOTION CARRIED 5-0.**
- D.** Plan Commission Recommendations: Steven M. Querin-Schultz, applicant, Joanne B. Schultz, landowner: combine parcel 0711-103-9730-0 (.16 acres zoned A1-EX) with parcel 0711-103-9720-0 (.81 acres zoned R-1): It was noted that the .16 acres is essentially a waterway on western boundary of the R-1 property, which Steve had quit-claimed to Joanne, and she wishes to combine it with her existing parcel. **MOTION** by DuPlayee/Fonger to recommend approval of combining parcel 0711-103-9730-0 (.16 acres zoned A1-EX) with parcel 0711-103-9720-0 (.81 acres zoned R-1).
MOTION CARRIED 5-0.
- E.** Finalize color of new door for Flynn Hall: **MOTION** by Hampton/DuPlayee to go with a white door and a black frame. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A.** Hampton brought back a sample ordinance from the recent WTA meeting to allow alternative forms of sworn testimony at Board of Review. This is optional, not mandatory. There was also an interesting presentation at the meeting regarding funding of local transportation in Wisconsin.

V. COMMITTEE REPORTS:

- A.** Deer-Grove EMS Commission: Business as usual.
- B.** Joint Town/Village Fire Department Committee: The committee reviewed recent Emergency Services Building repairs, including a new dishwasher and plumbing repairs in the EMS quarters.

VI. Adjournment: **MOTION** by Hampton/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:45 P.M.

Kim Banigan, Clerk
Approved 3-16-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 16, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton 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 and Deputy Brian Biwer.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the March 2, 2015 Town Board meeting with a correction to the makers of the motion under item II. D. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23411-23464 as presented, and voiding of check #43405. **MOTION CARRIED 5-0.**
 - 2. Treasurer Abel asked that March per diem reports be submitted by April 3rd.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Review February Police Activities: The report provided by Captain Teuscher showed there were 188 calls for service and 113 citations in March. 70 of the citations were for speeding, and Deputy Biwer noted that not all of these had been issued by our contracted deputies, which is evidence of greater presence of the Sheriff's Office overall than prior to the dissolution of the joint police department. Other than the arson at 4721 Gaston Circle, there were no other major incidents in March.
- B. Discuss/Consider approval of purchase/lease of a computer for 2011 Crown Vic squad car: Deputy Biwer said that the Town has two options to consider: 1) purchase the computer/software for \$4,700 or 2) lease the computer from the County on a 6 year depreciation schedule, which would include software and maintenance for \$66/month. Board members did the math and determined it would add up to an additional \$52 over 6 years to lease, which was worth it to have the County take care of the maintenance. **MOTION** by Anders/Williams to approve leasing the mobile computer and software from the Dane County Sheriff's Office for a total of \$4,752 over six years. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of an Agreement with Dane County for the Intersection Improvement of CTH BB and Vilas Hope Road: This work was done in 2014 and the agreement showed the Town's portion of the cost not to exceed \$12,000 as expected. **MOTION** by Anders/DuPlayee to approve the Agreement with Dane County for the Intersection Improvement of CTH BB and Vilas Hope Road as presented. **MOTION CARRIED 5-0.**
- D. Discuss/Consider proceeding with a razing order for 4721 Gaston Circle: Building Inspector Tom Viken had provided a letter to the Town Board declaring the house a 100% loss and recommending that it should be torn down. Attorney Connie Anderson had provided a memo summarizing the applicable laws and advising the board. Hampton had made attempt to contact the property owner to find out his intentions, and is awaiting a return call. **MOTION** by Hampton/DuPlayee to direct Attorney Anderson to proceed with a razing order if the

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 16, 2015

property owner has not made a commitment to raze the building by March 24th. **MOTION CARRIED 5-0.** Smith noted that town roads are currently posted with a 10 ton weight limit for the spring thaw, which would prevent any heavy construction traffic for the time being.

- E. Discuss/Consider adoption of a Resolution Opposing County Assessment: The Wisconsin Towns Association had provided a model resolution. **MOTION** by Williams/DuPlayee to adopt as Resolution 2015-02 with correction of one typo. **MOTION CARRIED 5-0.**
- F. Discuss whether to pursue an ordinance allowing for alternative forms of Board of Review testimony: A model ordinance was provided at a recent WTA meeting. After a brief discussion, the board decided to take no action on this matter.
- G. Discuss/Consider direction for renewal of lease for the former Town Garage at 4091 County Road N: Dale Huston has indicated to Hampton that they do want to renew the lease that expires in May for another three years. The Treasurer had prepared a comparison between what the Hustons are currently paying the Town to rent 4091 County Road N and what the Town currently pays the Hustons to rent 2560 Nora Road. **MOTION** by Fonger/Anders directing Hampton to present an annual cost of \$18,564 for the first year, with 1 1/2% increases for years 2 and 3. **MOTION CARRIED 5-0.**
- H. Discuss/Consider whether to become a Participating or Cooperating Agency with the DOT on the 1-39/90 and US 12/18 Interchange Project: Hampton and Smith attended an informational meeting today. The Town is only eligible to be a participating agency, and is mainly interested in the County AB interchange. **MOTION** by Hampton/Fonger to become a participating agency with the DOT on the 1-39/90 and US 12/18 Interchange Project. **MOTION CARRIED 5-0.**
- I. Discuss/Consider petty cash needs for the Town Office: The Clerk said that petty cash is mostly needed early in the year to make change for dog license payments. Smith does have a petty cash fund that he uses for miscellaneous public works expenses. **MOTION** by Anders/Williams directing the Clerk and Treasurer to obtain a cash box and work with Smith for a \$250 petty cash fund shared between the office and public works, reconciled monthly by the Treasurer. **MOTION CARRIED 5-0.**
- J. Discuss/Consider items for the Annual Meeting Agenda: **MOTION** by Hampton/Williams to include the following items on the annual meeting agenda: update on I39/90 and County AB/US Hwy 12 & 18 intersection improvements, update on policing by the DCSO, progress report on the comprehensive plan update, update on regulation of sex offenders. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- 1. The DOT sent a noise notification and evaluation for the I-39/90 improvement project. This is intended to be used to prevent future traffic noise impacts on currently undeveloped lands.
- 2. Hydrite sent a new emergency response plan, which was given to DuPlayee for the Emergency Government Committee.
- 3. Hydrite has submitted a request to the DNR for a modification to their plan of operations. This will be forwarded to the Fire Chief.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 16, 2015

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: The new computer is back and is now working after a hardware repair. The Village made a formal announcement of hiring their new Police Chief and Public Works Director. A new attendee from Paul Davis Restoration promises to be a valuable addition with knowledge of disaster remediation and 11 years of emergency government experience.

VI. Adjournment: **MOTION** by DuPlayee/Anders to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:53 P.M.

Kim Banigan, Clerk
Approved 04-06-2015

**COTTAGE GROVE TOWN BOARD
RESOLUTION 2015-02**

A RESOLUTION OPPOSING PROPOSED COUNTY ASSESSMENT

WHEREAS, the Wisconsin Department of Revenue (DOR) proposes to change from municipal assessment to county assessment that requires 100% assessment of every property every year; and,

WHEREAS, this proposal will cause an unfathomable waste of taxpayer dollars through extraordinary cost increases; and,

WHEREAS, citizens will only be able to access a few Board of Review proceedings throughout an entire county, which significantly decreases the ability of local knowledge to create accuracy in the assessment process; and,

WHEREAS, towns, cities, and villages are no longer in control of their own costs because the county will just send them a bill; and,

WHEREAS, the proposal is an unprecedented intrusion into local government by requiring the state to suggest a salary range for their assessment director and work with the county to set a county budget and number of employees; and,

WHEREAS, the DOR has cited assessor problems as part of their rationale, but has never revoked an assessor license despite having the authority; and,

WHEREAS, over the last five years the DOR has already required additional work and detailed information from assessors to improve the process; and,

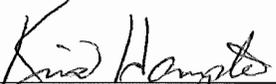
WHEREAS, this proposal kills private sector jobs and grows public sector jobs; and,

WHEREAS, the DOR cites that Wisconsin is one of few states that has municipal assessment, but forgets to note the strong leadership of Wisconsin citizens, our state's dedication to local input, and the simple lack of town government in many states;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County does hereby oppose the implementation of county assessment in Wisconsin and asks for the proposal to be removed from the budget; and,

BE IT FURTHER RESOLVED, that Towns are and have always been willing to work with the State of Wisconsin, fellow local government groups, and other stakeholders to continually improve the assessment process.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chair

Attest:



Kim Banigan, Town Clerk

Adopted 3/16/15
by a vote of
5 in favor
0 opposed

TOWN OF COTTAGE GROVE
TOWN BOARD CLOSED SESSION MINUTES
MARCH 21, 2016

D R A F T

- I. Consider/Adopt motion to move into closed session pursuant to §19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral or written advice regarding Village of Cottage Grove filing at PSC for Gaston Road Right of Way Permit: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **ROLL CALL VOTE – ANDERS, HAMPTON, WILLIAMS and DUPLAYEE – ALL AYES.** Clerk Kim Banigan, Highway Superintendent Jeff Smith, and Attorney Connie Anderson were also present. The closed session began at 8:10 P.M.
- II. Attorney Anderson read the PSC filing that had been provided by the Village's attorney, which accuses the Town of being discriminatory toward the Village Utility Commission's application for installing a water main under Gaston Road. Anderson said there will be time and effort required to provide the Town's response and recommended that Susan Allen of Stafford Rosenbaum be hired for the task since she has experience with the PSC. The Board agreed with this approach and directed Anderson to bring Allen up to speed so she can get started.
- III. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:29 P.M.

Kim Banigan, Clerk

Approved and made an open record 04-20-2015

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
APRIL 6, 2015

PUBLIC HEARING REGARDING AN ORDINANCE PRECLUDING SEX OFFENDERS WHO
COMMITTED A CRIME AGAINST CHILDREN FROM BEING PRESENT IN AREAS WHERE
CHILDREN CONGREGATE

- 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, and Kristi Williams were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Attorney Connie Anderson, and Deputy Jennifer Grafton. A list of other attendees is available in the Clerk's office.
- II. Hampton asked for public input on the proposed ordinance:
- Murali Kudipudi, 4729 Gaston Circle, commended Attorney Anderson for doing a great job drafting the ordinance. He indicated his support of prohibiting sex offenders from residing within 1,000 feet of child safety zones. But he also noted that Madison is proposing a 2,000 foot distance for their ordinance, and wondered how much effort would be required to amend the Town's ordinance to a greater distance in the event that Madison's ordinance survives a legal challenge. He was advised that it would be a matter of holding another public hearing followed by a vote of the Town Board.
 - Steve Anders said that the DOC list of sex-offender residency ordinances includes a wide range of distances, and questioned Atty. Anderson about whether her research had led her to believe there have been challenges other than the one in South Milwaukee. She said if there have been, they have not reached the appellate court level. Anders said he would prefer to error on the side of a higher distance. Mike Fonger said that the Town is “under the gun” right now, and possibly Madison is better able and willing to face a challenge. Atty. Anderson said that if there is a violation, we want it to stick, and rather than focusing on the distance, better to think about the child protection areas, noting that a new draft before the Town Board has expanded definitions to include bookmobiles, little free libraries, restaurant playgrounds, and other child recreation areas.
 - Carol Klubertanz, 4680 Gaston Circle, asked if other ordinances specifically reference Level 3 offenders. Atty. Anderson said that they do not, and this term is left out of our ordinance as well since it is not a clearly defined category of offenders. Her consultation with law enforcement contacts led her to define a sex offender based on clearly defined statutory parameters.
 - Several residents went on record in support of the ordinance as drafted, and expressed thanks to Atty. Anderson and the Town Board for their quick response:
 - Brad and Amy Bliss
2575 Simpson Drive
 - Doris and Gary Garczynsi
2610 Simpson Drive
 - Carol Klubertanz
4680 Gaston Circle
 - Cory Klonsinski
2564 Simpson Drive
 - Murali Kudipudi
4729 Gaston Circle
 - Maria Jasewski & Michael Kmiotek
4728 Gaston Circle
 - Rick Smith
4692 Gaston Circle
 - Ron Daggett
4620 Meadowlark St.
 - Rich and Chris Reines
4686 Gaston Circle

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
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- Romayn Rote, 2964 Gaston Road, voiced his support of the ordinance along with his opinion that protection is needed from DOC and DHS officials who arrogantly addressed Town residents at the public notification meeting regarding Mr. Nygard's planned residency at 4721 Gaston Circle.

III. **MOTION** by Anders/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 6:56 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice and attendance of the meeting were as described above for the Public Hearing, with the addition of Supervisor Mike DuPlayee and Fire Chief Bruce Boxrucker in attendance.
- B. Hampton called the meeting to order at 6:56 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the March 16, 2015 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 #23465-23523 as presented, including voided of check #23493. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Fonger to approve payment of March per diems as presented, and payment of \$375.00 to Tom Viken for March Building Permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider adoption of an ordinance precluding sex offenders who committed a crime against children from being present in areas where children congregate: **MOTION** by Fonger/Williams to adopt the red-line version presented and discussed tonight of Ordinance 2015-02 An Ordinance Creating Child Safety Zones and Precluding Designated Sex Offenders From Residing or Being Present in Child Safety Areas, and confirming that the 6 findings in the recitals are pertinent based on the research and testimony presented. **MOTION CARRIED 5-0.**
- B. Update on razing of fire damaged house 4721 Gaston Circle: Hampton said that on Friday, March 29th equipment and dumpsters were moved onto the property despite the fact that spring weight limits were posted on the roads. Workers were told to stop what they were doing until weight limits are lifted. A fence has somewhat been built around the exposed basement. Smith has informed the contractor that he expects to lift the weight limits this Wednesday, so work may then resume. The current work is being done for the insurance company. A razing permit has been issued, but no building permit application has been received at this point.
- C. Discuss/Consider approval of Implements of Husbandry permit for Kurt Dairy: The application was for a Massey Ferguson 8650 Tractor and a Balzer 4800 Manure Tanker to make up to 25 trips per week, 52 weeks per year, on a portion of Ridge Road, Meadow View Lane, W. Ridge Road, Kennedy Road, and Myer Road. Maximum weight will be 92,000

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
APRIL 6, 2015

pounds, total length of the combination will be 35 feet. There was consensus that this permit requirement causes great confusion to all involved. **MOTION** by Anders/DuPlayee to approve the permit as requested. **MOTION CARRIED 5-0.**

- D. Discuss/Consider the Town's policy on overtime pay: Hampton stated that an article in the October issue of the WTA's newsletter caused him to ask Atty. Anderson if our overtime policy is right. Atty. Anderson said that it appears the policy is not consistent with the law. The law says that overtime must be paid any time an employee works more than 40 hours in a week. The Town's policy pays overtime anytime an employee exceeds 40 hours in pay status, which also includes paid time off (sick leave, vacation, holidays). Smith said that the law states the minimum requirement, but does not say that the Town cannot go above and beyond that. He said the current practice has been in place since he started working for the Town back in 1973, and gives an incentive for employees to make themselves available on weekends and holidays when the need arises (mostly for snow removal). He also expressed concern that employees would be asked to go home early when they have already reached 40 hours before the end of the work week. Discussion indicated acceptance for paying overtime on holidays (on top of holiday pay), but not so much for including other paid time off in the calculations of the first 40 hours. **MOTION** by Anders/DuPlayee to table until the April 20th meeting. **MOTION CARRIED 5-0.**
- E. Discuss/Consider options to recover fire service expenses from Feb. 22, 2015 arson fire at 4721 Gaston Circle: Atty. Susan Allen had provided written advice showing two possible options for recouping the cost to fight the arson fire. The first option was to assess the cost to the property owner as an extraordinary fire expense under TCG Ord. 7.03. The second option was to pursue restitution from the person who started the fire, which would be a much slower process and involve the District Attorney's office. **MOTION** by DuPlayee/Williams directing Atty. Anderson to send a letter assessing the cost of the February 22, 2015 arson cost on the property owner. **MOTION CARRIED 5-0.** Anderson asked what would be the legal basis for this assessment? Chief Boxrucker said the accelerant used to start the fire caused the floor to fall in, which made it much more difficult and dangerous to fight. It was obvious to the first in that the fire was an arson, and extra steps had to be taken to preserve evidence.

(Atty. Anderson and Chief Boxrucker left the meeting)

- F. Discuss/Consider approval of a Parade, Procession or Race permit for Paula Severson representing the Hot2Trot Race on June 20, 2015. Proposed route for 10K portion includes Clark St., a portion of Vilas Road, and Damascus Trail. Applicant is asking for a waiver of the permit fee based on the non-profit status of the organization and benefits of the race to the community: Paula Severson explained that the annual race has reached its saturation level at just 5K, so they are hoping to expand to also include a 10K that would include Town Roads. She expects about 100 runners on the 10K route. They plan to stagger the starts and have volunteers at every intersection. With this she noted that they are in need of more volunteers. She provided a sample notification to residents along the route, stating that in the past they have used volunteers to take it door to door in lieu of mailing it. **MOTION** by Hampton/Williams to approve the Parade, Procession or Race Permit for the 10K race on June 20th to include Clark St., Vilas Road, and Damascus Trail, waiving the fee and deposit, and allowing hand delivery of the notice to residents. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of terms for renewal of lease for the former Town Garage at 4091 County Road N: Hampton reported that the Hustons had accepted the terms discussed at the

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
APRIL 6, 2015

last meeting. One question remaining was whether a security deposit is necessary, noting that the Hustons have not required a security deposit from the Town for the police station.

MOTION by DuPlayee/Anders to approve the terms of renewal in the lease as presented, with removal of the section requiring a security deposit. **MOTION CARRIED 5-0.**

- H. Discuss/Consider approval of Agreement to Participate in the Plan Update of the Dane County Natural Hazard Mitigation Plan: Hampton said that the Emergency Government Committee intends to work on this eventually, but the municipalities need to sign the agreement. **MOTION** by Fonger/Williams to approve the agreement, and designating DuPlayee to attend the meetings representing the Town. **MOTION CARRIED 5-0.**
- I. Select date for annual inspection of Town roads: Two possible dates were identified: April 29th or April 30th, both at 1:00 P.M. Williams needs to check her calendar and will get back to the others.
- 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: 6 month evaluation of Treasurer Debra Abel: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session began at 8:05 P.M.
- K. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to reconvene to open session. **MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.** The closed session ended at 8:10 P.M. **MOTION** by Hampton/DuPlayee to approve the evaluations noted in the closed session, and a \$1.00 pay increase for Abel effective April 6, 2015 for successfully completing her introductory period. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Nothing to report.
- B. Joint Town/Village Landfill Monitoring Committee: Nothing to report.
- C. Emergency Government Committee: Nothing to report.

VI. Adjournment: **MOTION** by Anders/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:12 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 20, 2015

ADMINISTRATIVE

- I. 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 Debra Abel, and Highway Superintendent Jeff Smith. Deputy Brian Biwer and Municipal Judge Beth Gilpin joined the meeting while it was in progress.
 - A. Hampton called the meeting to order at 7:00 P.M.
 - B. Minutes of previous meeting(s):
 1. **MOTION** by Williams/DuPlayee to approve the April 6, 2015 Public Hearing and Town Board open session minutes as printed. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Williams to approve the April 6, 2015 closed session minutes as printed, and to make them an open record. **MOTION CARRIED 5-0.**
 - C. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23524-23570 as presented. **MOTION CARRIED 5-0.**
 2. The Treasurer asked that April per diem reports be submitted by May 1st. She provided copies of a comparison of ordinance violation revenues year-to-date between this year and 2014.
 - D. Public Concerns: None.
 - E. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve a permit for Alliant Energy to trench parallel to the right-of-way to install a primary line at 4256 Vilas Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider approval landscape plans and building exteriors for Dane County Highway Department and Medical Examiner facilities at 3562 CTY AB: Dane County Assistant Public Works Director Robert Nebel introduced John Wallenkamp of Kueny Architects, LLC, and Diane Dorschner or Dorschner Associates, who presented the landscape and building exterior plans. A berm, evergreens and a wall will provide screening from the North, and the existing trees on the south lot line will be maintained as much as possible. The Highway Department and Medical Examiner buildings are designed for a 50-100 year lifetime, and will be primarily brick exteriors. A 6 foot black woven wire mesh fence will surround a portion of the Medical Examiners facility, which will also serve as an IT backup facility and a 911 training center at times. The salt facility will be vinyl sided, similar to the one near the Badger Interchange, with an asphalt shingled "barn style" roof. Dawn O'kroley of Dorschner Associates showed photos depicting some of the different types of plantings that will be made on the property, including some oak trees. The project time line calls for the salt shed to be completed by July 1, 2015, the Highway Department building by January 1, 2016, and the Medical Examiner building by July 15, 2016. Lighting will be focused downward and will appear only at a low level from the road. **MOTION** by Anders/Williams to approve the landscape plans and building exteriors for Dane County Highway Department and Medical Examiner facilities at 3562 CTY AB as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 20, 2015

- B. Discuss/Consider soccer practice and game schedules on Town fields: There had been a complaint over more than one team practicing at Bass Park at the same time. Kurt Femrite represented the Monona Grove Soccer Club, and apologized that there had been some confusion over schedules that had led to two teams practicing there at once, but said this has now been cleared up. Robert Evans, 3825 Sky High Road, stressed that Bass Park is a neighborhood park, not an athletic facility, and neighborhood kids can't play there when soccer practice is taking place 4 nights each week. He mentioned parking problems but acknowledged that they were in the past and that parking is primarily on other streets now. Fonger said it is important that problems are brought forward and appreciated the soccer club's cooperation in addressing them. Femrite said the club was not aware of the practice schedule confusion before the complaint was made.
- C. Discuss/Consider response under TCG Ord. section 11.09 to resident complaint over lawn maintenance at 2842 Gaston Road:
- Tom Gritzmacher, 2881 Busston Road, presented a petition signed by 19 residents asking the Town Board to do all that is allowed by Town Ordinances to require the owners of 2842 Gaston Road to update the condition of their structures and clean up the lot on which they reside. Attachments included photos of 2842 Gaston Road along with photos of neighboring properties to show that the property is not being maintained to the standards of the neighborhood.
 - David Pokorski, 4717 Wilmore Way, thinks that trees on the property might be encroaching on the site line of the intersection of Mulhall St. and Gaston Road.
 - Thomas Hayne, 2852 Mulhall St., noted that in the 29 years he has lived here, this has come up every few years, leading to some improvement followed by a downhill slide again. He is tired of it and wants the Town Board to handle it once and for all.

MOTION by Hampton/DuPlayee to:

- Direct the building inspector to determine whether the buildings are up to code, and advise the board what action needs to be taken regarding the buildings and any other violations he observes.
- Direct the Clerk to inquire with Dane County Zoning about allowable uses for the property, and request that they inspect the property for abandoned cars and junk.
- Direct the Fire Inspector and Police department to inspect for fire hazards and any other ordinance violations.

MOTION CARRIED 5-0.

- D. Discuss/Consider accepting the donation of an organ for Flynn Hall: Discussion was that there really isn't space or a use for it. **MOTION** by Fonger/DuPlayee to respond that the Town is not interested in the donation. **MOTION CARRIED 5-0.**
- E. Review March Police Activities: The report showed 219 calls for service and 130 citations in March. Deputy Biwer said that most of the speeding citations are significantly over, they aren't generally writing tickets for smaller violations. Temporary no parking signs on Hwy 12 & 18 during the Nora Auction seemed to help with safety, and there were no accidents this year. Temporary signs have also been posted on Hwy BB where people have been parking to view and video tape a nest of eagles. The resident there is uncomfortable with her property being video taped. Time will tell whether it will help or not.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
APRIL 20, 2015

- F. Discuss/Consider recommendations from the Town Deputies regarding placement of additional speed limit signs: Deputy Grafton had provided a list of locations where she felt additional speed limit signs may be of benefit. Judge Gilpin and Deputy Biwer participated in the related discussion with the Town Board:
- Femrite Road and South Hope Roads have no signs, therefore the speed limit is 55 mph. Discussion over whether to change the speed limit to 45mph resulted in consensus leaving both at 55 mph.
 - Coffeytown Road is not posted and vehicles “fly”. Discussion was to reduce the speed limit to 45 mph, but since half of the East portion of Coffeytown is in the Village of Cottage Grove, the Village Board will need to be consulted first.
 - Baxter Road: Deputy Grafton suggested that more signage is needed but Smith said there are already signs at both ends, at Doubledays, and going both directions from Liberty Drive. Discussion resulted agreement that no new signs are needed.
 - Ridge Road North of BB is unsigned and 55 mph, South of BB is 45 mph. Discussion resulted in agreement that no changes are needed.
 - Buss Road is partially 45 mph, partially 55 mph. Discussion was to make it all 45 mph. This will be on the next agenda for approval
 - Natvig Road is unsigned and 55 mph. Discussion resulted in agreement that no change is needed.
- G. Discuss/Consider the Town's policy on overtime pay: The Clerk had determined that if paid time off had not been included in the first 40 hours of work each week, there would have been a savings of \$830 in 2012 and 1048 in 2013. Smith had surveyed 8 surrounding municipalities and found that only the Town of Bristol discounted paid time off from the first 40 hours. **MOTION** by DuPlayee/Fonger to leave the policy as is and review the 2015 numbers in February of 2016. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: The Clerk distributed a memo and proposed amended Dane Com contract from County Executive Joe Parisi.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Commission heard a presentation of the 2014 Draft Financial Statements at their last meeting. An overview document is available in the Town Office.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:47 P.M.

Kim Banigan, Clerk
Approved 5-4-2015

TOWN OF COTTAGE GROVE
 2015 ROAD INSPECTION
 APRIL 30, 2015

- I. Notice of the road inspection was properly posted at the Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN. Chairman Kris Hampton, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee and Highway Superintendent Jeff Smith met at the Town Garage and Hampton called the meeting to order at 1:10 P.M.
- II. An inspection was conducted of roads selected by Smith (list of roads and suggested maintenance type are shown below).
- III. **MOTION** by Hampton/Williams to adjourn. **MOTION CARRIED 4-0.** The meeting was adjourned at 3:00 P.M.

Submitted by Kris Hampton
 Approved 5-18-2015

Maintenance

Type	Road	Length x width
Seal	Buss Rd.	1.01 mi. x 22 ft.
Seal	Kristy Rd.	.14 mi. x 20 ft.
Pave	Appaloosa Ln.	.12 mi. x 20 ft.
Pave	American Way	.80 mi. x 22 ft.
Pave	Independence Cir.	.05 mi. x 22 ft.
Pave	Native Pl.	.12 mi. x 22 ft.
Pave	Southern Ct.	.08 mi. x 20 ft.
Pave	Heritage Ct.	.07 mi. x 21 ft.
Pave	Uphoff Rd.	.35 mi. x 20 ft.
Seal	Ridge Rd.	.85 mi. x 21 ft.
Seal	Schadel Rd.	1.00 mi. x 20 ft.
Seal	N. Star Rd.	.61 mi. x 20 ft.
Seal	Ofsthun Rd.	.43 mi. x 22 ft.
Seal	Spencer Rd.	.10 mi. x 16 ft.
Pave	Siggelkow Rd.	.35 mi. x 20 ft.
Seal	Hope Rd.	.85 mi. x 21 ft.
Pave	Vilas Rd.	.40 mi. x 22 ft.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MAY 4, 2015

PUBLIC HEARING REGARDING AMENDING TCG ORD. SECTION 08.09 REGULATIONS
APPLICBLE TO AGRICULTURAL COMMERCIAL VEHICLES AND IMPLEMENTS OF
HUSBANDRY

- 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 Debra Abel, and Highway Superintendent Jeff Smith.
- II. Hampton called the public hearing to order at 7:00 P.M. and explained that the purpose of the proposed amendment is to change the agent authorized to issue the IOH/ACV permits. There were no public questions or comments.
- III. **MOTION** by Anders/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting and attendance were as described above for the public hearing.
 - B. Hampton called the meeting to order at 7:01 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the April 20, 2015 Town Board minutes 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 #23571-23609 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION by Anders/DuPlayee** to approve April per diems as presented, and \$99,104.72 to Tom Viken for April building permits. **MOTION CARRIED 5-0.**
 3. The Treasurer provided the first quarter financial statement, including a comparison to 2014, but noted that because prior year invoices were entered based on meeting date rather than invoice dates, the comparison is not true.
 - E. Public Concerns: Kristi Williams said her neighborhood is planning a picnic in the local park on May 25th, and she plans to submit a formal request for the board to consider on May 18th. However, she would like to send out announcements sooner than that, so she wondered if any board members could think of any reason they would not approve the request. No objections were expressed.
 - F. Road Right of Way Permits: None.
- II. BUSINESS:
 - A. Stormwater Permit Update: Discuss/Consider winter road salt application plan: Stormwater Consultant Chuck Nahn explained that the stormwater permit report due next year will have three new requirements:
 1. A plan for winter road salt application: application rates of 100 to 300 pounds per lane mile are acceptable. If rates are well over this amount, the Town would need to look at alternative measures. Smith did not think it would be a problem to stay under the limit because the Town typically only applies salt to hills and intersections, unless there is an ice storm. Meeting the new requirement should just be a matter of accounting for the

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MAY 4, 2015

salt used and area covered on a per storm basis. Nahn suggested calibrating the salt spreaders to make this easier.

2. An updated map of the area covered by the stormwater permit: Nahn said that the urban stormwater area did not increase with the 2010 census. The map must identify the Total Maximum Daily Load (TMDL) readshed boundaries and MS4 boundaries associated with each readshed, along with an explanation of why excluded areas should not be included.
3. Municipal Garage Inspection: Nahn suggested that it appears there is no exposure with the Town Garage since everything is stored inside, so the Town could apply for No Exposure Certification.

MOTION by Hampton/DuPlayee directing Nahn to update the stormwater permit area map and Smith to keep of salt usage beginning with the 2015-16 winter, and complete the No Exposure Certification. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of a Parade, Procession or Race permit for Steve Wehrley of with the MadCity Velo Club for a Bicycle Time Trial to include Schadel and N. Star Roads on August 15, 2015: Mr. Wehrley was in attendance and asked that the permit fee and deposit be waived do to the minimal impact on the Town. The trial will run on the south side of Schadel Road, which is technically in the Town of Pleasant Springs, so the only Town of Cottage Grove road being used is North Star. Wehrley was made aware that North Star is scheduled to be seal coated sometime this summer. Wehrelly said that they have a vendor lined up to notify all affected residents 10 days prior to the event, and asked if that would be acceptable in lieu of the usual notification procedure. **MOTION** by DuPlayee/Williams to approve the Parade, Procession or Race permit for Steve Wehrley of with the MadCity Velo Club for a Bicycle Time Trial on August 15, 2015, waiving the fee and deposit, and accepting the club's plans for notification of affected residents. **MOTION CARRIED 5-0.**
- C. Discuss/Consider ordinance enforcement action to take for 2842 Gaston Road: Property owners Ray Tenebruso and Mary Newton were present, and indicated they plan to comply with the County Zoning Inspector's requirement to address remove unlicensed and/or inoperable vehicles and junk within 30 days of the notice dated April 22, 2015, and they have a dumpster coming on Friday. They also agreed to get rid of the two boats in the yard. Hampton said that Town Ordinance section 11.09 requires that the exteriors of buildings and structures be maintained in accordance with the standards of the neighbor hood, and that lawns not be allowed to become overgrown or obstruct pedestrians' or vehicles' views. The following violations were discussed:
 1. Smith had determined that vegetation is blocking the site line at the corner of Busston and Mullhall Streets. Tenebruso and Newton agreed to trim the vegetation back, and have recently purchased a new lawn mower to keep the lawn trimmed better than it has been.
 2. The outbuilding needs siding. Tenebruso agreed, stating that he values the building and its contents, and would like to see it sided as well, but it is a matter of cost.
 3. The house needs painting. Tenebruso does not want to paint the house, stating that the siding is a high quality of cedar, but agreed that there are some areas that could be painted. He also agreed to remove an annex that is covered with a tarp.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MAY 4, 2015

No board action was taken, but Tenebruso and Newton agreed to submit a time line to address the items discussed, which the board will consider accepting at their May 19th meeting.

- D. Discuss/Consider amending TCG Ord. section 08.09 Establishing a Permit Requirement for Agricultural Commercial Vehicles and Implements of Husbandry: **MOTION** by Williams/DuPlayee to adopt the amendment to the ordinance as tracked and discussed at the public hearing. **MOTION CARRIED 5-0.** Donald and Marilyn Viney and Richard Swalheim were present and asked several questions about the ordinance and what they need to do to be in compliance with it.
- E. Discuss/Consider approval of 2015-16 committee and other appointments: **MOTION** by Williams/DuPlayee to approve the 2015-16 committee and other appointments as recommended by the Town Chair. **MOTOIN CARRIED 5-0.**
- F. Discuss/Consider adoption of a resolution committing funds for sick leave liability:**MOTION** by Anders/DuPlayee to adopt Resolution 2015-03 committing \$8,063.42 for sick leave liability. **MOTION CARRIED 5-0.**
- G. Discuss/Consider reducing the speed limit to 45 m.p.h. for the entire length of Buss Road: **MOTION** by Fonger/Anders to reduce the speed limit to 45 m.p.h. for the entire length of Buss Road. **MOTION CARRIED 5-0.**
- H. Discuss/Consider quotes for 2015 HVAC for Town-owned buildings. Three quotes were received to service the Town Hall, Town Garage, Flynn Hall, and the garage at 4091 County Road N. Price below is the quote to service all four locations:
 - High-Tech Heating and A/C, Inc.: \$990.00.
 - McCutchin Heating & A/C: \$1,200.
 - Wohlrs Heating & A/C: \$900.Discussion was that while Wohlrs quoted the lowest price, there were service issues the last time they did the maintenance, and service by High Tech was good in 2014. **MOTION** by Anders/Williams to accept the quote from High Tech Heating and A/C, Inc. to perform 2015 HVAC maintenance on the four locations for \$990. **MOTION CARRIED 5-0.**
- I. Discuss/Consider whether to go out to bid for 2015 audit services: **MOTION** by Williams/Anders to go out for bid for a three year period. **MOTION CARRIED 5-0.** A RFP will be considered at the next meeting.
- J. Annual review of Clerk's vacation accrual rate: The Clerk's anniversary date is May 1st, and during the period between May 1st 2014 and May 1st 2015, the Clerk worked an average of 25.46 hours per week. **MOTION** by Hampton/DuPlayee to set the Clerk's vacation accrual rate based on 25.46 hours/week for the period of May 1, 2015 through May 1, 2016. **MOTION CARRIED 5-0.**
- K. Set opening date for road construction bids: Bids will be opened at 9:00 A.M. on Thursday, May 28th, and awarded at the June 1st Town Board meeting.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
MAY 4, 2015

- A. Hampton has contacted Gary Pechmann regarding re-attaching the memorial plaque to a monument recently discovered by the Historical Society, and thoughts are to place it in front of the Town Hall.
- B. Anders provided copies of a press release from the Dane County Towns Association regarding Dane Com, and asked for board members' support on May 20th when he is hoping to be elected as the District 2 representative to the DCTA.

V. COMMITTEE REPORTS:

- A. Plan Commission: The Commission denied an application by Wade Cattell/Rocky Rights LLC for a CUP to expand mining operations at their pit on US Hwy 12 & 18. A letter from Cattell's attorney requested that the matter be postponed from being considered by the Town Board at tonight's meeting to give them time to address concerns expressed by neighbors to the Plan Commission. The letter suggested that the Town Board and Plan Commission make a site visit, but consensus was that there was no reason to go look at this time. The Clerk did confirm that the County has looked into many inquiries from the neighbors concerning the use of the concrete batch plant as well as the non-conforming mineral extraction site and found no violations. There was consensus that no site visit is needed at this time.

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

Kim Banigan, Clerk
Approved 05-18-2015

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WI 53527

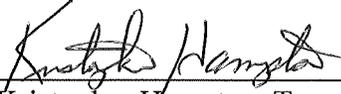
Town Board Resolution 2015-03
Committing funds for sick leave liability

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

That the sum of \$ 8,063.42 is hereby committed to fully fund the sick leave liability as of December 31, 2014.

Adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD this 4th day of May, 2015 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE



Kristopher Hampton, Town Chair

ATTEST:



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 18, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Deputy Brian Biwer and Lt. Brian Hayes.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
 - 1. **MOTION** by DuPlayee/Williams to approve the April 30, 2015 road inspection minutes as printed. **MOTION CARRIED 4-0-1** (Anders abstained).
 - 2. **MOTION** by Williams/DuPlayee to approve the minutes of the May 4, 2015 public hearing and Town Board minutes, with the correction of one typo. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills: **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23611-23657, as well as #23610 which replaced #23601 that was written to the wrong vendor. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Discuss/Consider response to response to resident traffic concerns on Vilas Hope Road: Colleen Richart, 4264, had written an email to the Town Board expressing her safety concerns due to speeders. Deputy Biwer said that Vilas Hope Road is one of the most highly traveled and highly policed roads in the Town. He provided a list of the 53 citations issued on the road from February through April 12th. There were actually 62 traffic stops, with citations issued to drivers traveling at least 10 mph over the 45 mph speed limit. A speed board has been placed there and seems to be helping, and the deputies now have a laser gun which will help with enforcement. Smith said there are not enough driveways in a 1000 foot stretch to satisfy State Statute requirements for a Town to lower the speed limit below 45 mph. Ms. Richart wondered if any other factors, such as limited visibility, lack of shoulders, business traffic for America's Best Flowers, etc. could factor in, but Smith said not. Ms. Richart said that mailboxes have been taken out more than once in recent years, and she is also concerned with the safety of children waiting for the school bus in the morning, when the traffic is the heaviest. Hampton said it appears all that can be done is to increase enforcement, but there was general agreement that the Town does not want to earn a reputation for creating a speed trap. Residents agreed that enforcement has been much better since the DCSO took over policing the Town on January 1st. Deputy Biwer noted that calls for service typically increase in the summer months, which may leave less time for traffic enforcement. Lt. Hayes said he will alert the DCSO traffic team and SAM1 deputies that enforcement is needed during the morning commute hours. Residents were advised to let the Town Board know if they see an improvement with continued enforcement actions, or not.
- B. Discuss/Consider approval of reservation of the Capitol View Park for a neighborhood picnic on May 25th: **MOTION** by Anders/Fonger to approve the park reservation, and to waive the reservation fee since it is a neighborhood function. **MOTION CARRIED 4-0-1** (Williams abstained).
- C. Reconsider decision to bill costs of arson fire at 4721 Gaston Circle to the property owner: Hampton reported that the Fire Chief and Assistant Chief are not able to identify which of the

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MAY 18, 2015

costs are extraordinary to the extent that they would be comfortable testifying in court if it came to that. The Clerk stated that she would not be comfortable approving an invoice that included billing for volunteer and mutual aid services that the Town has not actually been billed for.

MOTION by Anders/DuPlayee to reconsider and rescind the April 6th decision to bill the property owner for the costs of the arson fire at 4721 Gaston Circle. **MOTION CARRIED 5-0.**

- D. Discuss/Consider approval of an agreement with Jewell Associates Engineers, Inc. for bridge inspections: The Bridges on Uphoff and Femrite Roads were found to be deficient by the County's bridge inspector. Thoughts are that the Uphoff Road bridge may be able to be repaired, putting off the expense of replacing it for some time. Jewell Associates Engineers, Inc. proposed to perform in depth inspections of both bridges, submit a new bridge inspection report to the DOT if inspection results in a different conclusion than the County's inspection did, and provide cost estimates for repairs or replacement of the bridges. Discussion was that this seemed like a good investment compared to facing the replacement of two bridges at the same time, and due to the fact that it can take up to 3 years of paperwork to qualify for a 50% reimbursement from the State. **MOTION** by DuPlayee/Williams to approve an agreement with Jewell Associates Engineers, Inc. for inspection of the bridges on Uphoff and Femrite Roads, not to exceed \$1,000. **MOTION CARRIED 5-0.**
- E. Discuss/Consider time line for cleanup and repairs of 2542 Gaston Road: A time line emailed to the clerk from the property owners listed several items that have been completed and others that will be completed by May 22, June 22, July 11 and August 24. Neighbors acknowledged that there has been progress but asked that the Town Board continue to monitor the situation. There was a report that a brush pile had been left to smolder over night, the Clerk will follow up to be sure that the burning ordinance restrictions are understood. **MOTION** by Williams/DuPlayee to review the progress of the cleanup and repairs at the July 6th Town Board meeting. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of an agreement with Tetra-Tech for private well sampling services: There was a question as to why the cost to sample two wells this year is similar to the cost to sample three last year. **MOTION** by Williams/DuPlayee to approve the agreement with Tetra-Tech for private well sampling services since the cost depends on their being able to sample the wells in conjunction with other upcoming work in the Town, but directing the Clerk to make sure they understood that there are only two wells this year. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of quote to re-pave the Town Hall parking lot: Smith had gotten a ball park price of \$15,587 from Wolf Paving to re-pave and re-stripe the front parking lot area only. He stated that the Town public works employees could take out the old blacktop. He had not gotten any other quotes, thinking it best to find out if the Town Board supports moving forward with the project before involving other contractors. Hampton suggested using 2014 carryover funds to pay for the project. **MOTION** by DuPlayee/Anders to solicit quotes from other contractors to repave and re-stripe the front parking lot, with a separate quote for the area between the Town Hall and Garage. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval of the purchase of a rototiller for use in Town parks: Smith explained that in the past the Town has borrowed a rototiller and garden tractor from the Village public works department, but the Village recently replaced their rototiller with one that spins the other way, which would throw playground sand into the grass. He had three price quotes for rototillers: 1) \$2,500 for a Lands, 2) \$2,450 for a Bush Hog, and 3) \$1,875 for a Woods. He said any of them would be suitable, and the Village public works director has agreed to allow the Town to continue to borrow their garden tractor. **MOTION** by DuPlayee/Williams to approve the purchase of a rototiller, cost not to exceed \$2,000. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
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- I. Discuss/Consider approval of the purchase of trees for the former Natvig Landfill site: Hampton shared a map of the former landfill site, showing where he proposed to take out some box elders and replace them with more desirable trees. Larry Berg of McKay Nurseries had suggested five Norway Spruce Trees, similar to the ones across Hwy N on the Skaar property, and one Swamp White Oak, at a cost of \$936. There are already oak, cherry and hickory nut trees to the west. Hampton proposed funding the purchase of the trees with ATC impact fees, which the Treasurer reported are currently at \$1,337. **MOTION** by Fonger/DuPlayee to approve the purchase of the six trees, cost not to exceed \$1,000 and paid from ATC impact fees. Planting to be performed by the Town's public works employees. **MOTION CARRIED 5-0.**
- J. Discuss/Consider calibrating of salt spreaders: Discussion was that since the Town generally only salts hills and intersections, calibrating would not be all that meaningful. Consensus was to continue with current practices.
- K. Discuss/Consider approval of a Request for Proposal for Auditing Services and timeline for RFP process: The Treasurer had prepared a red-line version to the RFP used back in 2010, and stated that she had a list of potential auditing firms to send it to. **MOTION** by Anders/DuPlayee to approve the red-line version of the RFP, and send it to firms as selected by the Treasurer, due by June 30th to be considered at the July 6th Town Board meeting. **MOTION CARRIED 5-0.**
- L. Review April Police Activities: Board members reviewed the summary provided by Captain Teuscher, which showed 204 calls for service and 99 citations in April, both dominated by traffic related matters.
- M. Set date for the Town Board to tour the non-metallic mining site at 2272 US Hwy 12 & 18: Hampton reported that Wade Cattell has dropped his request to expand the mining site, but requested the Town Board tour the site in advance of the upcoming discussion regarding renewal of the mining permit. Board members agreed to meet at 10:00 A.M. on Friday, May 29th to tour the site.
- N. Discuss/Consider approval of attendees for the Dane County Towns Association meeting on May 20th: **MOTION** by Anders/DuPlayee to allow for three attendees. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: DuPlayee was elected as committee chair, and the June meeting will be held at Paul Davis Restoration, with the agenda to include an item to consider adding Paul Davis Restoration as a non-voting community member of the committee.

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

Kim Banigan, Clerk
Approved 06-01-2015

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
JUNE 1, 2015

PUBLIC HEARING: 2015-2016 ALCOHOL BEVERAGE LICENSE RENEWALS

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 28, 29, and 30 and posted at the 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 Debra Abel, and Highway Superintendent Jeff Smith.
- II. Hampton called the public hearing to order at 7:00 P.M. and read the list of applicants.
- III. There were no public comments or questions.
- IV. **MOTION** by Anders/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:02 P.M.

PUBLIC HEARING: 2015-2016 NON-METALLIC MINING PERMIT RENEWALS

- I. Notice of the public hearing was posted at the 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 as described for the public hearing above.
- II. Hampton called the public hearing to order at 7:02 P.M. and read the list of applicants.
- III. Cheryl Retzlaff, 3651 T-Bird Way, asked if any changes of operation are planned for the Skaar Pit. Dennis Richardson of RG Huston Company, Inc. stated that there are no changes planned.
- IV. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:04 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting 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 as described for the public hearings above.
 - B. Hampton called the meeting to order at 7:04 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the May 18, 2015 Town Board minutes 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 #23658-23693. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented, and payment of \$2,241.00 to Viken Inspection Agency for May building permits. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.
 - F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to permit Frontier to jack & bore and plow across and parallel to the right-of-way at 2321 Uphoff Road for a service drop. **MOTION CARRIED 5-0.**
- II. BUSINESS:
 - A. Discuss/Consider approval of July 2015 – June 2016 Alcohol Beverage Licenses (see public hearing notice for applicants):

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
JUNE 1, 2015

1. Combination Class B Beer and Class B Liquor Licenses: **MOTION** by DuPlayee/Fonger to approve Combination Class B Beer and Liquor licenses for the period of July 1, 2015 through June 30, 2016 for the following:

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

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

Door Creek Golf Course, Inc.
Phillip C. Frederickson, Agent
4321 Vilas Road
Cottage Grove, WI 53527

Country Corners, LLC
Tricia J. Youngs, Agent
3737 CTH AB
McFarland, WI 53558

MOTION CARRIED 5-0.

2. Operators and Managers Licenses: A memo from the Clerk stated that background checks were favorable for all of the Manager's license applicants and all but two of the Operator's License applicants. (Applicants are listed in Appendix A) **MOTION** by DuPlayee/Williams to approve Manager's Licenses running from July 1, 2015 to June 30, 2016 for all four applicants. **MOTION CARRIED.** Sandi St. Dennis was in attendance to discuss her 2014 conviction for "Adult Encourage Underage Drinking", which she stated occurred during a "sting" operation. This was confirmed by Country Corners owner Tricia Youngs. The Clerk stated that Loreli Smithback was not in attendance due to illness. **MOTION** by DuPlayee/Fonger to approve Operator's Licenses running from July 1, 2015 to June 30, 2016 for 36 of the 37 applicants, tabling Loreli Smithback's application until the July 15th meeting. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of July 2015– June 2016 Non-metallic Mining Permits (see public hearing notice for applicants):

Gaston Road Quarry – 2543 Gaston Road, owned by Huston Holdings, LLC, operated by Brad Huston, President of RG Huston Company, Inc: Dennis Richardson, Engineer for RG Huston Company, Inc., said no changes of operation are planned for the pit, which mostly recycles and stores spoils from jobs. **MOTION** by Anders/Williams to approve a Non-metallic Mining Permit for the Gaston Quarry for the period of July 1, 2015 through June 30, 2016. **MOTION CARRIED 5-0.**

Skaar Pit – 3355 County Road N, owned by Huston Living Trust, operated by Brad Huston, President of RG Huston Company, Inc: Dennis Richardson, Engineer for RG Huston Company, Inc., said no changes of operation are planned for the pit, and no blasting is anticipated in the near future. It is mostly used for extraction of a sand product and recycling of job spoils. **MOTION** by Fonger/DuPlayee to approve a Non-metallic Mining Permit for the Skaar Pit for the period of July 1, 2015 through June 30, 2016. **MOTION CARRIED 5-0.**

Non-metallic mining site at 2294 US Highway 12 & 18, owned by Rocky Rights LLC, Operated by Wade A Cattell: Mr. Cattell stated that no operational changes are planned, and there is no need for blasting. **MOTION** by Fonger/Williams to to approve a Non-

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
JUNE 1, 2015

metallic Mining Permit for the 2294 US Highway 12 & 18 pit for the period of July 1, 2015 through June 30, 2016. **MOTION CARRIED 5-0.**

- C. Set date for the Town Board to tour the non-metallic mining site at 2294 US Hwy 12 & 18: The board will tour the site on Wednesday, June 10th at 10 AM. Mr. Cattell agreed to pay the board per diems for the special meeting.
- D. Plan Commission Recommendations:
1. Viney Acres, LLC and Heisig, Greg and Anita – parcels 0711-352-9301-6 and 0711-352-9001-9 at 2074 US Hwy 12 & 18: Land swap between A1-EX and RH-1 for ease of farming: Greg Heisig and Don Viney stated that they are in agreement regarding the mutually beneficial land swap. Viney said a final survey is in the works that will comply with County setback requirements for the tobacco shed. **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the land swap and rezone as presented, with final measurements to be determined on revised survey. **MOTON CARRIED 5-0.**
 2. Kurt Dairy Farm, LLC – parcels 071-122-8775-0 and 0711-122-8795-0 on Ridge Road: Land swap between A-4 and RH-1 for ease of farming: Silvin Kurt explained that the current configuration of the RH-1 lot leaves a corner of the A-4 field that isn't even big enough to turn his machinery around in. **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve the rezone as presented, to make it more farmable even though the resulting RH-1 parcel will be slightly over the usual 2.0 acre limit (2.6 acres). **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of a Certified Survey Map for 2305 West Ridge Road: A corresponding rezone was approved on March 2, 2015 to attach a .16 acre waterway to the edge of Joanne Schultz's property at 2305 W. Ridge Road. **MOTION** by Williams/DuPlayee to approve the CSM, identified as Office Map No. 140795, as presented. **MOTION CARRIED 5-0.**
- F. Discuss/Consider awarding of 2015 re-paving and seal coating bids:
- Only one seal coating bid was received, from Scott Construction for a total cost of all projects of \$93,128.00. Oil type is HFRS-2 Emulsion and stone type is Portage Bottom Ash Slag. **MOTION** by DuPlayee/Anders to award the 2015 seal coating projects to Scott Construction for a total cost of \$93,128.00. **MOTION CARRIED 5-0.**
- Two re-paving bids were received:
- | | |
|---|--|
| Wolf Paving & Excavating of Madison, Inc. | Payne & Dolan, Inc. |
| Total cost of all projects: \$203,973.75 | Total cost of all projects: \$213,304.00 |
| Type of asphalt: E-1 12.5 mm | Type of asphalt: Commercial grade 12.5mm |
- MOTION** by DuPlayee/Williams to award 2015 re-paving projects to Wolf Paving & Excavating of Madison, Inc., for a total cost of all projects of \$203,973.75. **MOTION CARRIED 5-0.**
- G. Discuss/Consider quotes to re-pave the Town Hall parking lot: Smith stated that the Public Works department will remove the existing blacktop in the area from the Town Garage to the south end of the Town Hall parking lot. Two bids were received to grade, re-pave and stripe:
- | | |
|-------------------------|---|
| Payne & Dolan, Inc. | Wolf Paving & Excavating of Madison, Inc. |
| Total Cost: \$32,370.00 | Total Cost: \$29,876.40 |

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
JUNE 1, 2015

MOTION by Anders/Williams to award the re-paving of the parking lot to Wolf Paving & Excavating of Madison, Inc., for a total cost of \$29,873.40 to grade, re-pave and stripe.

MOTION CARRIED 5-0. **MOTION** by Hampton/Anders to fund the parking lot project using 2014 carryover funds. **MOTION CARRIED 5-0.**

- H. Discuss/Consider authorizing the Treasurer to request quotes for financing options for 2015 Highway Department projects and capital purchases: **MOTION** by Williams/DuPlayee authorizing the Treasurer to seek quotes from Wisconsin Bank & Trust, Bank of Sun Prairie, and Monona State Bank for two loans totaling \$370,000, including interest: a 5 year loan to finance the purchase of the new patrol truck, and a one year loan for the balance, to finance the new loader and 2015 road maintenance projects. **MOTION CARRIED 5-0.**
- I. Update on Uphoff Road and Femrite Road bridge inspections: Greg Jewell of Jewell Associates Engineers Inc. reported on his inspections of the two bridges. He agrees with the conclusions of the previous inspection of the Uphoff Road bridge for the most part, although he thinks the pilings are in better shape than it stated, and that repairs in the \$10,000 - \$20,000 range could extend the life of the bridge by many years. The current rating under the Federal Bridge Replacement program is 48.5, which does qualify it for replacement (50 or below). As for the Femrite Road Bridge, he disagrees with the conclusions of the previous inspection on two points: he believes the deck beams have more corrosion and the abutments are in worse shape. The bridge is currently rated at 63, but he thinks his inspection will bring it below 50, making it eligible for replacement, and he recommended replacing this bridge before the Uphoff Road one. The Federal program pays 80% of the cost to replace the bridge, with the remaining 20% split equally by the County and the Town. He estimated that the Uphoff Bridge would cost \$250,000 - \$275,000 to replace, while the smaller Femrite Road Bridge would cost \$200,000. Applications for the Federal program are due June 15th, so Jewell recommended putting paperwork in now for the Uphoff Road Bridge, noting that once accepted, the Town would have the option of substituting another qualifying bridge. The Federal program is not offered every year, and it can take up to 3 years of processing before construction can start. Consensus was for Jewel to submit an application for replacement of the Uphoff Road Bridge by June 15th, and submit his inspection results to the State, which should qualify the Femrite Road bridge for replacement as well.
- J. Discuss/Consider options for payment in lieu of Health Insurance: The current policy may need to be revised before June 30th to be in compliance with the Affordable Care Act. **MOTION** by Hampton/Williams to table until the next meeting when Attorney Anderson can be present to advise. **MOTION CARRIED 5-0.**
- K. Discuss/Consider enforcement of TCG Ord. sec 11.09 for 4540 American Way: Smith reported that the lawn has been mowed, so no enforcement is needed.
- L. Discuss/Consider the Town becoming a lifetime member of the Cottage Grove Area Historical Society. Hampton made this suggestion, which would cost \$150.00. **MOTION** by Fonger/Williams to approve spending \$150.00 for the Town to become a lifetime member of the Cottage Grove Area Historical Society. **MOTION CARRIED 5-0.**
- M. Discuss/Consider creation of a resolution to send to the WTA for the next legislative session regarding effects of ETJ and levy limits on Smartgrowth Planning: Hampton proposed this measure to force Towns and Villages to the table to form boundary agreements that would allow Towns to carry out their comprehensive plans, penalizing Villages with the loss of ETJ and Towns with loss of shared revenue if they don't cooperate. **MOTION** by

TOWN OF COTTAGE GROVE
PUBLIC HEARINGS AND TOWN BOARD MEETING
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Fonger/Williams to have Attorney Anderson draft a resolution, to be sent to the Dane County Towns Association and the Wisconsin Towns Association. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: A cloud-based backup service has been implemented for office computers.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams reported being pleased with Deputy French's appearance with things for the children at the Memorial Day party in her neighborhood, and also commented on how beautifully mowed the park was that day. Her neighbors are seeing and appreciating the contracted deputies in the area.
- B. Hampton asked the Board to think about whether to include funds in the 2016 budget to go through the Town's code of ordinances to bring them up to date and make them more consistent. Attorney Anderson had estimated a cost of \$30,000 if Hampton and the Clerk did a lot of the work, noting that the town of Windsor recently spent \$45,000 for a similar project.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Hampton is the new Chair.
- B. Emergency Government Committee: DuPlayee is the new chair, and the June meeting will include a tour of Paul Davis Restoration.
- C. Joint Town/Village Landfill Monitoring Committee: Anders is still the chair, and the new Village committee members were educated on the landfill and committee.

VI. Adjournment: **MOTION** by DuPlayee/Fonger to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:38 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES APPENDIX A
JUNE 1, 2015

2015-16 Manager's License Applicants

<u>New/Renewal</u>	<u>Background</u>	<u>Servers Cert.</u>	<u>Last Name</u>	<u>First Name</u>	<u>Establishment</u>
Renewal	ok	yes	Kennedy	Matthew J.	Door Creek Golf Course
Renewal	ok	yes	Purvis, Jr.	Robert A.	Door Creek Golf Course
Renewal	ok	yes	Stueber	Gary F.	Doubledays
Renewal	ok	yes	Kluever	Sheryl L.	Nora's Tavern

2015-16 Operator's License Applicants

<u>New/Renewal</u>	<u>Background</u>	<u>Servers Cert.</u>	<u>Last Name</u>	<u>First Name</u>	<u>Establishment</u>
Renewal	ok	yes	Erickson	Pamela J.	Country Corners
Renewal	ok	yes	Krawczyk	Michael J.	Country Corners
New	ok	yes	Mueller	Courtney S.	Country Corners
Renewal	ok	yes	Philipps	Meredith K.	Country Corners
Renewal	ok	yes	Smith	Tammy J.	Country Corners
Renewal	2014 Sale to Minor	yes	St. Dennis	Sandi	Country Corners
Renewal	ok	yes	Vancil	Laura J.	Country Corners
New	ok	yes	Arndt	Chelsea J.	Door Creek Golf Course
New	ok	yes	Frederickson	Kristin Z.	Door Creek Golf Course
New	ok	yes	Gerlach	Jordan T.	Door Creek Golf Course
New	ok	yes	Hoekstra	Sydney N.	Door Creek Golf Course
Renewal	ok	yes	Kozar	Aleesha M.	Door Creek Golf Course
Renewal	ok	yes	LaMarche	Thomas L.	Door Creek Golf Course
Renewal	ok	yes	Nelson	Amanda H.	Door Creek Golf Course
New	ok	yes	Radomski	Eva M.	Door Creek Golf Course
New	ok	yes	Slowinski	Kaylie	Door Creek Golf Course
Renewal	ok	yes	Archer	Bernadette L.	Doubledays
Renewal	ok	yes	Banigan	Kyle F.	Doubledays
Renewal	ok	yes	Kratochwill	Becky J.	Doubledays
Renewal	ok	yes	Moen	Nancy A.	Doubledays
Renewal	2014 OWI	yes	Smithback	Lorelei A.	Doubledays
Renewal	ok	yes	Stueber	Anna M.	Doubledays
Renewal	ok	yes	Stueber	Mark A.	Doubledays
Renewal	ok	yes	Stueber	Riva M.	Doubledays
Renewal	ok	yes	Crawford	Kathleen C.	Nora's Tavern
Renewal	ok	yes	Hudson	Dawn M.	Nora's Tavern
Renewal	ok	yes	Hudson	Katrina L.	Nora's Tavern
Renewal	ok	yes	Kluever	Helen E.	Nora's Tavern
Renewal	ok	yes	Lattanzio	Patricia Jo	Nora's Tavern
Renewal	ok	yes	Linnerud	Jaimee L.	Nora's Tavern
Renewal	ok	yes	Sawyer	Rebecca J.	Nora's Tavern
Renewal	ok	yes	Schmidt	Jason M.	Nora's Tavern
Renewal	ok	yes	Shapiro	Michelle L.	Nora's Tavern
Renewal	ok	yes	Simle	Jason M.	Nora's Tavern
Renewal	ok	yes	Slater	Rebecca A.	Nora's Tavern
Renewal	ok	yes	Swenson	Karen S.	Nora's Tavern
Renewal	ok	yes	Wood	Marcia L.	Nora's Tavern

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JUNE 15, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Attorney Connie Anderson, and Deputy Jennifer Grafton. A list of other attendees is available in the Clerk's office.
- 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 two public hearings and the Town Board meeting held on June 1, 2015 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 #23694-23737. **MOTION CARRIED 5-0.**
 2. The Treasurer asked that June per diem reports be submitted by July 2nd.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/Fonger to approve two permits for Charter Communications to drill parallel to the right-of way: 1) at 4392 Vilas Hope Road to replace a 3" duct and 2) on Gaston Road at Raven Way to install a 2" duct. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider approval of July 2015 – June 2016 Operators License for Loreli Smithback: Smithback's application indicated she had an OWI in the Town of Sun Prairie in December of 2014. A memo to the Board from the Clerk stated that the offense actually occurred in the City of Sun Prairie, and the Court Clerk there stated it was Smithback's first offense, with a blood alcohol level of .15 or higher which resulted in a 6 month revocation of her driver's license and a mandatory interlock system being installed in her car. She is consistently making payments on her fines. Smithback stated that she has complied with all terms of the court, including a completion of a class at MATC, and her license has been reinstated. She further stated that she learned a difficult and expensive lesson, and as a result has been volunteering as a designated driver for others. **MOTION** by Anders/Fonger to approve an Operator's License for Loreli Smithback for the period of July 1, 2015 through June 30, 2016, with the caveat that she provide proof of attendance for the MATC course to the Clerk. **MOTION CARRIED 5-0.**
- B. Discuss/Consider renaming the park at 4539 American Way as "Dan Johnson Memorial Park" and allowing Andrew Grob to construct a memorial there as an Eagle Scout project: Andrew Grob provided a rendering of a large rock on a stone base, surrounded by benches and plantings, which he intends to install in the location of the current park sign. He had previously provided his Eagle Scout project workbook by email, which detailed his plans for the construction project. Smith asked that the stone base be extended to take in the entire memorial for ease of mowing. Grob said he is working with the family to come up with wording for the plaque. **MOTION** by Fonger/Williams to approve the concept, and requiring Grob to come back for approval of the final plan including dimensions and wording for the plaque. **MOTION CARRIED 5-0.** Ed Gaudet, 4546 Sundance Ct., said he and his wife are

TOWN OF COTTAGE GROVE
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working on the wording, and asked board members for guidance. Their response was to include Dan Johnson's name, that he played in this park during his youth, and when and where he was serving upon his death.

- C. Discuss/Consider options for payment in lieu of health insurance. Attorney Anderson confirmed that the current practice of a taxable payment in lieu of health insurance will be in violation of the Affordable Care Act come July 1, 2015 since the Town cannot assure the payment is being put toward an approved plan. There was discussion of other ways to continue the reimbursement intended, but not required, to be used by employees to offset health insurance premiums. A colleague who specializes in employee wages and benefits had advised Anderson that any kind of bonus or supplementary payment could be construed as an avoidance of payment of overtime wages. Anderson recommended that the current payment in lieu of health insurance be rolled into hourly wages. Ed Gaudet stated that he is an employe benefits consultant, and suggested a Flexible Spending or Health Savings Account plan as an alternative, but Anderson said that such plans may not be attractive to Town Employees who have health insurance elsewhere and may or may not have health care related expenses that would qualify for the use of such funds. The Clerk had done the calculations to convert the payment in lieu of health insurance to wages based on each employee's typical hours worked per week, and noted that overtime could lead to an additional \$70-\$100 per year for each of the Public Works employees. **MOTION** by Hampton/Anders to convert the current payment in lieu of health insurance to hourly wages effective with the June 26, 2015 payroll, and eliminate all references to a payment in lieu of health insurance from the Personnel Policies and Procedures Manual. The conversion will be based on each employee's typical hours worked per week, with no adjustment to account for the effect of overtime. **MOTION CARRIED 5-0.**
- D. Discuss/Consider adoption of a Fraud Policy to be included in the Personnel Policy and Procedures Manual: Johnson Block and Company had provided a model policy. Attorney Anderson suggested slight revisions. **MOTION** by Anders/DuPlayee to incorporate the Fraud Policy, including Anderson's suggestions, into the Town's Personnel Policies and Procedures Manual. **MOTION CARRIED 5-0.**
- E. Discuss/Consider creation of a resolution to send to the WTA for the next legislative session regarding effects of ETJ and levy limits on Smartgrowth Planning: Tabled until a future meeting.
- F. Review May Police activities: Deputy Grafton said that a DCSO software upgrade took place early in June and she thought the report might be under-reporting the June activity slightly. It showed 229 calls in June, 121 of which were traffic related. There were 114 citations issued, of which 81 were for speeding. Grafton thought a good number of those were on Vilas Hope Road.

(Attorney Anderson left the meeting)

- G. Discuss/Consider quotes for financing of 2015 Road Construction projects: Three quotes were received, all with a single payment of \$235,000 including interest and principal on March 15, 2016:

Bank of Sun Prairie: Loan amount of \$231,600, interest rate of 2.156% on a 365/365 basis.

Monona State Bank provided two options:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
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1. Loan amount of \$231,942.55, interest rate at 1.98% if the Town agreed to give them an opportunity to review and make a proposal for a depository relationship.
2. Loan amount of \$231,486.23, interest rate at 2.28% without consideration of a depository relationship.
3. Wisconsin Bank & Trust: Loan amount not specified, interest rate at 1.55%.

MOTION by Anders/Williams to borrow from Wisconsin Bank & Trust, amount to be based on an interest rate of 1.55% and a single payment of \$235,000 to include both principal and interest due on March 15, 2016. **MOTION CARRIED 5-0.**

- H. Discuss/Consider writing off uncollectable 2014 personal property tax: The Treasurer stated that she has exhausted all options for collection of \$98.14 in 2014 personal property tax for Monkey Motors, LLC. The business has closed up and certified mail was refused. The cost to take legal action would exceed the potential benefit, and she cannot use the TRIP program since the taxpayer is a LLC rather than an individual. **MOTION** by Hampton/DuPlayee to write off \$98.14 in 2014 personal property taxes for Monkey Motors, LLC. **MOTION CARRIED 5-0.**
- I. Discuss/Consider quote to install computer wire between the Town Hall and Town Garage. **MOTION** by Anders/DuPlayee to table since the quote was not available. **MOTION CARRIED 5-0.**
- J. Discuss/Consider quotes to pour concrete for salt shed and dumpsters: Smith had obtained two quotes:
- K & R Concrete, Inc.: \$4,900 for 5 inches of concrete reinforced with a sealed fiberglass mesh.
- D&M Concrete Co. Inc: \$5,000 for 6 inches of concrete reinforced with re-rod. The dumpster pad would be \$4.80/square foot, which Smith estimated would add up to around \$1,000.
- Smith noted that he felt the extra inch of concrete and sturdier reinforcement offered by D&M was needed. **MOTION** by DuPlayee/Anders to accept the quote from D&M Concrete Co. Inc. to pour concrete for the salt shed and dumpsters, not to exceed \$6,500. **MOTION CARRIED 5-0.**
- K. Discuss/Consider sale of unused equipment: Hampton stated there are two bicycles and some desks and lockers from the former police department. Smith said there is a old pole saw. **MOTION** by Fonger/Williams authorizing the Town Chair, the Clerk and the Highway Superintendent to decide what old equipment there is to sell, and put it on the Wisconsin Surplus site. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that:

1. He has spoken with two parties concerning restoration of a WWI memorial monument that recently turned up. He plans to have quotes to be considered at the next meeting.
2. An email received from Greg Jewel of Jewell Associates Engineers Inc. indicated that applications have been submitted for replacement of both the Uphoff Road and Femrite Road bridges.

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- B. Anders reported that the Dane Comm Governance Board will meet on June 18th and 22nd, and the DCTA Executive Board will meet on June 18th, and asked if board members had anything they wanted him to bring up.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: There was no quorum at the June meeting, but members present did tour the Paul Davis Restoration facility.

- VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:32 P.M.

Kim Banigan, Clerk
Approved 07-06-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JULY 6, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan and Treasurer Debra Abel.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on June 15, 2015 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 #23738-23778, including voided checks #23746, 23777, 23778. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$5,906.00 to Viken Inspection Agency, LLC for June building permits. **MOTION CARRIED 5-0.**
 - 3. **MOTION** by Anders/DuPlayee to approve payment of June per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve two permits: 1) MG&E to drill from the Southeast corner of 2982 Lane St. to the East ROW of Bonnie Ave. then to the Northwest corner of 4532 Bonnie Avenue for installation of new underground conductors, and 2) Frontier Communications to jack & bore across the ROW at 1783 Strawberry Road. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider progress of property clean-up at 2842 Gaston Road: The property owners were not present, even though the Clerk stated she had email communication indicating they would be. Julie White of 2881 Busston Road, Dave Pokorski of 4717 Willmore Way and Mike Morgan of 4721 Willmore way were present, and stated that there has been progress, albeit minimal. The lawn has been mowed and the tree at the corner of Busston and Mullhall has been cut down but the debris has not been cleared, nor have the straw bales in the yard or the tarp on the northwest corner of the house. According to the schedule provided by the homeowners, the bales and tarp were to be removed by May 22nd, and the brush will be removed by July 11th. **MOTION** by DuPlayee/Fonger to notify the the property owners that enforcement will begin on July 13th if the additional yard material, tarp and brush are not removed before then, as was stated on the timeline they submitted. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of a Parade, Procession or Race permit for the Safe Harbor Child Advocacy Center to use Deerfield, S. Jargo and Nora Roads on July 11, 2015 for a benefit motorcycle ride: The Clerk stated that the ride is also sponsored by the Dane County Sheriff's Office, and Police, Fire and EMS have all seen the application and indicated they have no issues with it. **MOTION** by Williams/Fonger to approve the permit for the Safe Harbor Child Advocacy Center to use Deerfield, S. Jargo and Nora Roads on July 11, 2015 for a benefit motorcycle ride, and to approve the resident notification letter as submitted. **MOTION CARRIED 5-0.**

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TOWN BOARD MEETING
JULY 6, 2015

- C. Discuss/Consider quotes to restore WWI monument: Two quotes were received:

Patrick Drea provided a time and materials estimate that would max out at \$2,500.

B&B Quality Building Restoration of Wisconsin LLC provided a quote of \$7,670.

Fonger thought that the American Legion and possibly the CGAHS would contribute toward the restoration, although he could not say to what extent. **MOTION** by Fonger/DuPlayee to accept Patrick Drea's quote not to exceed \$2,500, with the Town fronting the payment to be partially reimbursed by the American Legion and/or other donations. **MOTION CARRIED 5-0.**

- D. Discuss/Consider quotes to install computer wire between the Town Hall and Town Garage: two quotes were received:

Accurate Electric, Inc. to extend the existing cable run between the buildings to the office areas: \$765

Electrical Solutions offered 3 options: 1) point-to-point antenna system with data cables run to the office areas: \$1,577. 2) Cable run through a trench/conduit: \$3,886. 3) Condition the existing CAT3 cables running between the buildings to CAT5 and extend to office areas: \$1,062.

There was a question as to why one quote indicated the existing cable could be used as is when the other indicated it needs to be "conditioned". **MOTION** by DuPlayee/Williams to accept the quote from Accurate Electric, Inc. as long as they can guarantee a CAT5 connection between the two offices. **MOTION CARRIED 5-0.**

- E. Discuss/Consider completion of Local Jurisdiction Data Collection Handbook for the Dane County Natural Hazard Mitigation Plan 2015 Update: The Clerk distributed copies of the Town's annex to the County's 2009 Hazard Mitigation plan, and noted two significant events that have occurred since then: A winter storm in 2011 and a wind storm in 2014. **MOTION** by Hampton/DuPlayee to hold a meeting to complete the Data Collection Handbook at 11:00 A.M. on July 15th, to include Hampton, DuPlayee, the Clerk, and the Highway Superintendent with others welcome to attend. **MOTION CARRIED 5-0.** Expectations are that the Town's plan will look much like the 2009 version, updated with recent events. Board members were asked to review the 2009 plan and let the Clerk know if they have any updates to suggest.
- F. Ray Tenebruso and Margy Newton, owners of 2842 Gaston Road had arrived. **MOTION** by Williams/Fonger to revisit the issue discussed in A. above. **MOTION CARRIED 5-0.** Hampton advised Tenebruso and Newton of the determination of the board earlier in the evening. Williams stressed the need to clear the vegetation at the Northeast corner of the lot so as to not impede the site line of motorists. Tenebruso said he burned the brush there last Saturday and Newton said that vegetation impeding the site line at the corner has been sprayed. Beyond the items discussed above, the remaining issue is the siding of the outbuilding, which Tenebruso's timeline stated would be complete by August 24th.

III. CLERK'S REPORT: The Clerk completed ICS-300 training on June 24-25.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that USDA's notification of Base and Yields for the 5 acres near the former Natvig Landfill site has been received.

V. COMMITTEE REPORTS:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JULY 6, 2015

- A. Deer-Grove EMS Commission: A collective bargaining sub-committee was selected. The first meeting is scheduled for July 14th and will be held without legal or union representation.
- B. Joint Town/Village Fire Department Committee: The Fire Chief put in a bid on some equipment from the now defunct Blooming Grove Fire Department. The Dane County Chief's meeting will be held here on July 8th.
- C. Emergency Government Committee: Steve Haskell of Paul Davis Restoration was appointed as a non-voting member and looks to be a valuable addition. The plan update was finalized and distributed. Another table top exercise will be scheduled soon. Hampton reported that the battery died in the keypad to access the EOC, and since no key was found, a locksmith had to be called. A new key has been made and is in the lockbox in the radio room at the ESOB.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:03 P.M.

Kim Banigan, Clerk
Approved 07-20-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JULY 20, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, and Highway Superintendent Jeff Smith. Deputy Brian Biwer arrived toward the end of the meeting.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by DuPlayee/Williams to approve the minutes of the Town Board meeting held on July 6, 2015 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 #23779-23822 as presented. **MOTION CARRIED 5-0.** Check #23822 was an add on by Hampton to pay for the new Flynn Hall door.
 - 2. The Treasurer requested that July per diem reports be submitted by July 31st, and reported that Monona State Bank has quoted the highest interest rates for two CDs that are due for renewal.
- E. Public Concerns: None.
- F. Road Right of Way Permits: **MOTION** by Anders/DuPlayee to approve a permit for Alliant Energy to jack and bore underground at 2204 Nora Road for underground electric service. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Discuss/Consider progress of property clean-up at 2842 Gaston Road: Hampton reported that he had viewed the property and taken photos on July 13th. The photos were passed around while Hampton stated that the downed tree, brush and bales have been removed, the lawn is mowed, and both street corners on the lot have been cleared to allow adequate site lines for motorists. Hampton could not see through the vegetation to confirm that the tarp has been removed from the house, but an email from the owners to the Clerk stated that it has been. The only remaining issue is the siding of the outbuilding, which according to the owner's schedule is to be complete by August 24th. No action was taken and progress will again be reviewed at the first Town Board meeting in September.
- B. Discuss/Consider approval of the Friends of the Cottage Grove Library holding a book sale in the Town Hall basement on July 30, 31 and August 1: Gary Ferron, Treasurer for the Friends of the Library, stated that the decision has been made for the group to go inactive at the end of the year. In light of this, they will be selling and/or donating all of the books they have collected, and rather than having to move them all, are hoping to sell the majority of them from the Town Hall basement where they are stored. Smith said the sale itself does not pose any problems, but the Town Hall parking lot is scheduled to be repaved on those days. **MOTION** by DuPlayee/Williams to approve the book sale out of the Town Hall basement, with parking at the Emergency Services Building if necessary. **MOTION CARRIED 5-0.** The Clerk noted that parking should be limited to the north end of the parking lot to leave room for fire responders to park.
- C. Discuss/Consider request from Cynda Solberg to waive the rental fee for the Town Hall for an Aspect Foundation foreign exchange program host family gathering on August 12th: Cynda

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TOWN BOARD MEETING
JULY 20, 2015

Solberg and Dave Carlson provided information about Aspect Foundation and explained that the families receive no reimbursement for hosting the international students, although as coordinators Solberg and Carlson receive \$50 for organizing the event. The use of the Town Hall on August 12th would be by five families (15-20 people) for an hour or less. Williams had questions about the cost of the program to the students and where the money was used, stating that other foreign exchange programs she is familiar with do not compensate coordinators at all. **MOTION** by DuPlayee/Anders to waive the fee for the use of the Town Hall for a host family orientation on August 12. **MOTION CARRIED 5-0.**

- D. Discuss/Consider removal of cottonwood trees in the North portion of American Heritage Park: Tim Karls, 4555 Conestoga Trail, and Scott Boran, 4567 Conestoga Trail, stated that the cotton shed by the trees is creating a greater nuisance every year, clogging up air conditioners, lawn mowers, and swimming pool filters. Discussion was that it is only the female trees that shed cotton, and the cotton shedding has ended for this year. **MOTION** by Williams/DuPlayee to table and contact the Dane County Forester to see if the female trees can be identified. **MOTION CARRIED 5-0.**
- E. Review June Police activities: The Clerk had not received the June stats, and the on duty deputy was not yet present, however the Clerk did have an email from Deputy Grafton regarding confusion over the speed limit on a portion of Gaston Road. Consensus was to put up a 35 mph sign on the westbound side of Gaston just west of Gaston Circle. (Also see H. below.)
- F. Discuss/Consider issuing a RFP for 2016 insurance for the Town: The Clerk reported that the last time the Town went out for bid for insurance was in 2010, for 2011 insurance. A Rural Mutual agent had contacted her wondering if the Town is taking quotes for 2016 insurance. **MOTION** by Williams/Fonger to offer Rural Mutual an opportunity to submit a quote to be compared to the renewal premium from the current carrier. **MOTION CARRIED 5-0.** The RFP used back in 2010 will be adequate with some updating.
- G. Discuss/Consider adoption of a resolution to send to the WTA for the next legislative session regarding effects of ETJ and levy limits on Smartgrowth Planning: Atty. Connie Anderson had drafted the resolution at Hampton's request, and provided an email memo to accompany it. **MOTION** by Anders/Fonger to adopt Resolution 2015-04 Requesting WTA and DCTA Action on Legislative Initiatives to Protect Viability of Towns as presented. **MOTION CARRIED 5-0.** The Clerk was directed to send it to the Wisconsin Towns Association, and Anders will present it to the Dane County Towns Association Executive Board.
- H. Deputy Brian Biwer arrived, and did have the June call statistics, however a software upgrade had interfered with the ability to provide information on citations. There were 239 calls for service in June, of which 122 were traffic related. Biwer also reported that:
1. A component of the video system at the police station was taken by the Village police department when they moved out, and Deputy French is attempting to find out what it will cost to replace. Biwer was advised that this would be the year to take care of it since there is money in the budget for such unexpected expenses with the new startup of the Town's police department.
 2. The fire extinguishers at the police station are due for their checkups. Smith will schedule it along with the ones at the Town Hall.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JULY 20, 2015

3. Deputies Biber and French have been flexing their hours once a week or so to be present on Vilas Hope road during the morning commute.

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton received:

1. Notice from the WDOT regarding an extension of Meier Road between Femrite Drive and Millpond Road.
2. Notice from Hydrite Chemical of revisions to their Feasibility Plan of Operation.

V. COMMITTEE REPORTS:

A. Deer-Grove EMS Commission: Calls are up by 100 over last year, and run fees are already at 80% of budget. Progress is being made on a new union contract.

VI. Adjournment: **MOTION** by Fonger/DuPlayee to adjourn. **MOTION CARRIED 5-0**. The meeting ended at 8:13 P.M.

Kim Banigan, Clerk
Approved 08-03-2015

COTTAGE GROVE TOWN BOARD
BOARD RESOLUTION NO. 2015-04

RESOLUTION REGARDING
REQUESTING WTA AND DCTA ACTION ON LEGISLATIVE
INITIATIVES TO PROTECT VIABILITY OF TOWNS

WHEREAS, the Town of Cottage Grove has actively engaged in comprehensive land use planning for many years, and has pursued options such as Transfer of Development Rights programs in an attempt to preserve the rural nature of the Town while directing residential and other development to appropriate areas within the Town; and

WHEREAS, in an effort to achieve various community-wide land use goals, the Town conducts multiple public meetings to solicit input from its residents, seeks advice from its legal and planning consultants regarding the options available, evaluates community needs and adopts comprehensive land use plans as required by law; and,

WHEREAS, prior to approval, the Town's comprehensive plan is distributed to adjacent cities, villages and towns, who then have an opportunity to comment on the planning initiatives set forth in the Town's proposed comprehensive plan; and,

WHEREAS, after spending many many hours and thousands of tax dollars on this comprehensive planning process, the Town often finds that its comprehensive plan is defeated because the Town does not have the statutory tools necessary to actually implement the Town's State-mandated comprehensive plans while cities and villages have statutory tools to easily defeat the Town's comprehensive planning effort; and

WHEREAS, based on numerous examples where the Town's land use goals have been frustrated by limitations imposed by State law, the Town Board wishes to set forth certain conclusions and recommendations related to State-mandated comprehensive planning and the limitations imposed on towns and local control by the State, all as set forth herein.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Board of the Town of Cottage Grove as follows:

1. The Town Board does not wish to be subjected to levy limits set by the State. The Town already knows how to operate efficiently and without long-term debt, and does not need advice from the State as to how the Town should spend its residents' tax dollars. Levy limits impose artificial standards and create incentives for budget levels that do not necessarily reflect Town residents' wishes or public infrastructure requirements.
2. The Town Board is particularly frustrated by levy limits set by the State because of numerous unfunded State mandates imposed on the Town, including but not limited to State-mandated comprehensive planning.
3. The Town Board does not wish to engage in State-mandated comprehensive planning unless the State is also willing to allow towns to have greater local control over its

land use decisions. The Town Board does not wish to expend its taxpayers' dollars on detailed plans that cannot be implemented.

4. The Town Board finds that the extraterritorial jurisdiction (ETJ) authority that cities and villages have over towns is particularly unfair to towns and requests legislation that rebalances the burdens and benefits associated with ETJ authority.
 - a. The ETJ authority that cities and villages have over town lands has long defeated rural land use priorities such as protection of farmland and agricultural preservation areas.
 - b. Cities and villages are given the opportunity to review adjacent towns' comprehensive plans prior to adoption. The State statutes need to create an incentive for cities and villages to pay particular attention to plans set forth in the ETJ. If a city or village fails to comment or object to plans described in a town's comprehensive plan that fall within that municipality's ETJ, there needs to be a consequence.

5. As a member of the Wisconsin Towns Association (WTA) and Dane County Towns Association (DCTA), the Town Board requests that WTA and DCTA evaluate legislative options to enhance town rights as set forth in this Board Resolution. Action is needed if towns are to remain a viable local governance structure in the State.

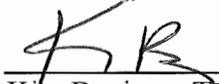
This Resolution was duly adopted by the Town Board of the Town of Cottage Grove at a duly noticed meeting held on July 20, 2015, by a vote of 5 in favor, 0 opposed, and 0 abstained.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chairperson

Attested by:



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 3, 2015

I. ADMINISTRATIVE

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

II. BUSINESS:

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

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 3, 2015

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

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

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: None.

V. COMMITTEE REPORTS:

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

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

Kim Banigan, Clerk
Approved 8/17/2015

TOWN BOARD RESOLUTION 2015-05

RESOLUTION OF LODGE, ASSOCIATION OR OTHER SIMILAR ORGANIZATION

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

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

Referred to in this document as "Financial Institution"

Referred to in this document as "Association"

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

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

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

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

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

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

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

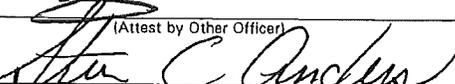
CERTIFICATION OF AUTHORITY

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

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

X 
(Secretary)

X _____
(Attest by Other Officer)

X 
(Attest by Other Officer)

RESOLUTIONS

The Association named on this resolution resolves that,

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

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

FOR FINANCIAL INSTITUTION USE ONLY

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

Comments:

TOWN BOARD RESOLUTION 2015-05

RESOLUTION OF LODGE, ASSOCIATION OR OTHER SIMILAR ORGANIZATION

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

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

Referred to in this document as "Financial Institution"

Referred to in this document as "Association"

I, KIM BANIGAN, certify that I am Secretary (clerk) of the above named association organized under the laws of WISCONSIN, Federal Employer I.D. Number 39-6006842, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Association duly and properly called and held on AUGUST 3, 2015 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

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

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

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

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

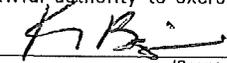
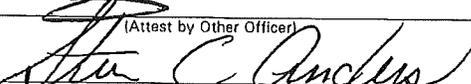
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CERTIFICATION OF AUTHORITY

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

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

X 
(Secretary)
X _____
(Attest by Other Officer)
X 
(Attest by Other Officer)

RESOLUTIONS

The Association named on this resolution resolves that,

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- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the Financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
- (3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an Agent of the Association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
- (4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
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FOR FINANCIAL INSTITUTION USE ONLY

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

Comments:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 17, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on August 3, 2015 as printed. **MOTION CARRIED 4-0-1** (Fonger abstained).
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #23863-23914 as presented. **MOTION CARRIED 5-0.**
 - 2. The Treasurer asked that August per diem reports be submitted by September 4th.
- E. Public Concerns: None.
- F. Road Right of Way Permits: None.

II. BUSINESS:

- A. Reconsider decision on rezone of 1.57 acres from R-2 to A-2(1) for 4672 Vilas Road, parcel 0711-061-9110-9 owned by Kent J. Staudt: The Clerk reported that at the last meeting, the height limit stated for accessory buildings on R-2 zoned property was mistaken, and the correct limit of 12 feet will not allow Mr. Staudt to put up a building tall enough to store his farm machinery. Discussion was that the 35 foot maximum height limit under A-2 zoning would be more than adequate, although siting the building on the corner lot may pose a challenge. Romayn Rote, 2964 Gaston Road, raised several questions as to the activities taking place on the property, including campers that appeared to be lived in and tenants in the house. Staudt stated that he had been allowing acquaintances to store their campers there and use them occasionally while they are working in the Madison area, but has already put a stop to this now that he understands it is not allowed, and he does have room mates to who share the expenses of living in the large house. Hampton said that the Dane County Zoning Inspector has been there at least twice and has found no evidence of sewage from the campers being released onto the ground or into the septic system. Hampton asked Staudt to remove any inoperable vehicles and work on remedying the general disrepair of the property. **MOTION** by Fonger/Williams to approve a rezone of 1.57 acres from R-2 to A-2(1). **MOTION CARRIED 5-0.** It was noted that email correspondence from Dane County Zoning Inspector Roger Lane indicated he thought the ZLR Committee would be OK with this change that goes against the Town's Comprehensive Plan for the property as long as the Town Board was in support of it.
- B. Attorney Connie Anderson:
 - 1. Recommendations regarding Adaptive Management-Draft Intergovernmental Agreement: See attachment for Anderson's written recommendations, which centered on three issues:
 - a) Does the Town want to use adaptive management practices to comply with the MS4 stormwater permit requirements regarding phosphorus and total suspended solids, and does this cooperative approach make sense for the Town? Consensus was that this would be the most fiscally responsible approach, although the draft does not yet

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 17, 2015

say anything about how costs will be allocated. Anderson said she was told that the costs had intentionally been left out of this draft to focus attention on the agreement itself.

- b) Membership of the governing committee as drafted does not make sense to Anderson, she suggests using the new MMSD statutory language as a model.
- c) The Town's stormwater data is 10 years old, is it still accurate, or should a new study be conducted? The levels in the data will most likely be a factor in the calculation of Town's cost under the agreement. The question is whether development in the MS4 area over the past 10 years has worked to reduce the TDML.

MOTION by Hampton/DuPlayee directing Atty. Anderson to send the concerns identified tonight to David Taylor of MMSD, for interpretation into the future draft.

2. Implications on the Town from 2015-17 State Budget legislation: 2015 Act 55 included 114 non-fiscal policy items. Atty. Anderson highlighted those that may have the greatest implications on the Town, including:

Recycling Grant funding is cut for SFY2015, but restored for SFY2016.

Shared revenue was not changed.

Levy limits are still based on net new construction, but a 5% / 5 year carryover is now allowed.

Municipalities may not impose time of sale requirements on properties.

Tax increases allowed by referendum must be tracked on tax bills.

Levy Limit adjustments for service transfers were vetoed, which means they are not prohibited but also not addressed in the statutes, although there is DOR policy on this matter.

Dane County could convert any levy for garbage collection to fees without negatively impacting their levy, which could mean higher tipping fees.

Tax settlement payments for special assessments and charges from counties to municipalities are now permissive rather than mandatory.

Significant changes were made to transfer authority from CARPC to the DNR.

Towns contiguous to a third class city and meeting certain requirements now have a new method to incorporate.

General Transportation Aids are increased.

No changes to the Local Roads or Town Road Improvement programs.

Prevailing wage is repealed for local public works projects effective January 1, 2017.

Existing culverts are exempt from the DNR permitting process when they need replacing.

Requirements for and state funding of bicycle and pedestrian trails for new highway construction was repealed.

The Interoperability Council is required to submit a report on WISCOM. Anders said this is important to DaneCom as WISCOM has been much more successful and could offer infrastructure to improve DaneCom's interoperability.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
AUGUST 17, 2015

- C. Review July Police Activities: Deputy Grafton reported that there were 204 calls for service in July, 109 of which were traffic related. Data on citations is not available, but she said it is getting more difficult to catch speeders as word gets out that the Deputies are present on Town Roads.
- D. Discuss/Consider equipment needs for 2011 Crown Vic squad car: A list of equipment provided by Deputy French was reviewed and deemed to be necessary. **MOTION** by DuPlayee/Anders to ask the DCSO to acquire the items on the list and bill us for them, cost not to exceed \$6,000. **MOTION CARRIED 5-0.**
MOTION by DuPlayee/Williams to approve Dane County ISS to wire the building camera system to the Police Station computer system for a cost not to exceed \$500.00.
- E. Discuss/Consider additional storage for 2011 Crown Vic squad car: Two portable shelters were considered, but discussion was that these tarp based shelters do not hold up well to the weather. A hard shelled shelter will be researched for the next meeting.
- F. Discuss/Consider recommendations to departments regarding the 2016 Town Budgets: **MOTION** by DuPlayee/Fonger to direct department heads to strive for a 0% increase for 2016. **MOTION CARRIED 5-0.**
- G. Consider approval of attendees for the Wisconsin Towns Association convention in October: Hampton and DuPlayee expressed interest in attending the Monday session. **MOTION** by Hampton/Fonger to allow for two attendees, with no overnight stay. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Draft 2016-2020 Transportation Improvement Program for the Madison Metropolitan Area and Dane County has been received and is available in the Town Office.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: An August meeting was held but not much was accomplished since there was no Village representation due to Lemay's resignation from the board.
- B. Town Parks Committee: A group of residents requested a new play structure at the Cedar Knolls park, and indicated their willingness to donate labor for installation and possible fund raising efforts. They were given until October 1st to come back with which one they prefer.
- C. Smith suggested creating an ordinance disallowing concrete in the portion of private driveways that meets town roads after several complications were encountered in the recent overlaying of American Way.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:05 P.M.

Kim Banigan, Clerk

Approved 9/08/2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
SEPTEMBER 8, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan and Treasurer Debra Abel.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on August 17, 2015 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 #23915-23979, including voided check 23994, as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of August Per Diems as presented, and payment of \$747.00 to Viken Inspection Agency LLC for August building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None initially, but later in the meeting Gloria Binnette, 3840 Blazing Star Road asked to be heard since she arrived too late for the agenda item. She asked about changing the 4-way stop at the intersection of Nora Road with South and West Jargo Roads to a 2-way stop (East to West) only, and adding a speed limit sign just north of Doubledays on Baxter Road. The Board did not show interest in considering either of these suggestions.
- F. Road Right of Way Permits: **MOTION** by DuPlayee/Williams to permit Alliant Energy to trench and drill across and parallel to the right-of-way on Luds Lane for underground electric and plastic gas service. **MOTION CARRIED 5-0.**

II. BUSINESS:

- A. Plan Commission Recommendations:
1. Wade Cattell, Rocky Rights LLC – Applicant, Duane Swalheim – Landowner. Parcels 0711-342-9730-0 and 0711-342-8500-9: Seeking conditional use permit for non-metallic mining on 35 acres: Hampton explained that the Plan Commission had considered and denied this request back in May, but the petitioners postponed their appearance before the Town Board until now to allow time for them to address concerns and for the Town Board to tour the site. Mr. Cattell said he is asking for a 20 year conditional use permit to expand the mining site to provide gravel for his concrete plant and some fill sand. There would be no changes to traffic patterns, the existing driveway would be adequate. Hours would be 6 a.m. to 6 p.m. Monday thru Friday, and 6 a.m. to 4 p.m. on up to five Saturdays per calendar year, probably in the fall and consecutive, with prior notice given to quarry neighbors. No blasting is planned at this time. A berm would surround the entire active areas of the site, with a 3-wire barbed wire fence and no trespassing signs along the entire western property line. He suggested annual review by the Town Board with a walk-through every three years. He said he is not currently out of gravel but is making this request in an effort to plan ahead.
 - Duane Swalheim said that he barely hears noise from the the current quarry operation from his nearby farm. Most of it takes place down below.
 - Jon and Andrea Enriques, 3380 North Star Road, expressed their opposition to expansion of the quarry toward their home due to the negative effects it could have on

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
SEPTEMBER 8, 2015

air and water quality as well as property values. They indicated they can hear current operations from their home. They had obtained a copy of the existing site's erosion and stormwater control plan from Dane County, but were unclear as to who enforces it. They had also contacted the DNR and learned that the operation is missing a necessary industrial stormwater permit, and determined an air quality permit is also needed if any crushing is performed on site. They suggested that if the operators cannot be trusted to follow the rules for the existing site, how can they be trusted to follow them with an expansion?

- Alex Tukiendorf, 2292 US Highway 12 & 18, provided photos alleging violations to operating hours of the existing site since the May Plan Commission meeting, including shots of the gate open after hours and dust generated by truck traffic.
- Jim Merritt, 3290 North Star Road, alleged that the quarry operators have a history of disregard for the environment, and said it is the Town Board's responsibility to support the recommendation of the Plan Commission to deny the expansion, which could be devastating to future development in the vicinity.
- Otto K. Otteson, 2173 Nora Road, said the quarry has been active there his whole life and he hears noise from it all the time, although more now than ever before. He suggested that the operators could show good faith by reclaiming portions of it, and wondered if they could be forced to reclaim some of it before being allowed to open up any more.
- Anders asked Mr. Cattell a series of questions:
 - Q: Define "berm": A: 10 foot minimum height, seeded or mulched.
 - Q: Will the site be a "borrow site" for storage of offsite materials" A: There would be no reason for that to occur, other for reclamation dirt.
 - Q: How many acres would be open at any one time? A: 2/3 of the 35 acres would be stripped and surrounded by a berm at a time, moving north to south on the site.
- Williams was concerned whether a 3-wire barbed wire fence would be enough to keep out curious children.

MOTION by Anders to approve the conditional use permit for five years beginning on January 1, 2016 to allow non-metallic mining on 35 acres with the following conditions:

- No more than 10 acres of the expansion area may be open at any one time, and for each acre opened, an acre must be reclaimed on the existing site, and seeded with some type of ground cover.
- All open areas must be completely surrounded by a 10' berm and 3 strand barbed wire fence.
- The entire 35 acres shall not be used as a borrow pit or allowed to be used for storage of off site materials including gravel, concrete or blacktop. It would be acceptable to bring in dirt for building a berm.
- Hours of operation limited to 6 a.m. to 6 p.m. Monday thru Friday, and 7 a.m. to 4 p.m. on up to five Saturdays per calendar year, with prior notice given to neighbors. No operations on Sundays.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
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- All necessary State and County permits must be secured prior to the beginning of mining operations.
- Operator shall notify neighbors in advance of any crushing done on the site.

MOTION FAILED FOR LACK OF SECOND.

MOTION by DuPlayee/Anders to approve the conditional use permit beginning on January 1, 2016 to allow non-metallic mining on 35 acres with the same conditions as the failed motion above, but allowing up to 15 acres of the 35 to be open at any one time. The six standards under DCCO section 10.255(2)(b) were considered with the following votes:

1. Failed 2-3
2. Approved 3-2
3. Approved 4-1
4. Approved 5-0
5. Approved 5-0
6. Approved 4-1

MOTION FAILED 2-3 (Fonger, Anders and Williams opposed).

2. John T. Mulligan, applicant, Don Peckham, owner – parcels 0711-071-8790-7 and 0711-07-9050-0 on County Road BB: seeing rezone to LC-1 with a conditional use permit for outdoor storage of construction materials for .224 acres currently zoned R-1A and 1.959 acres currently zoned C-1: Anders stated that he had opposed this rezone at the Plan Commission level because he did not approve of the large quantities of material it would allow to be stored outdoors. Discussion was that materials would be limited to gravel, sand, boulders and topsoil and the piles would not be visible from County BB. DuPlayee wondered about truck traffic on such a busy road, but Mulligan stated there would be a half dozen or so coming and going each day. **MOTION** by Fonger/Anders to accept the Plan Commission's recommendation to approve the rezone of the entire 2+ acres to LC-1 with a CUP for outside storage of materials and vehicles as specified above and below:

- a) Design review and landscaping plans to include:
 - Overhead doors facing south and no windows.
 - Screening requirements: continuous evergreen plantings, ultimately reaching 6' wide by 5' high, or a 6-8' fence.
 - Outdoor lighting only at the back doors of the building, and downward facing.
 - Up to 3 full time employees.
 - No additional signage.
- b) Hours from 6:00 a.m. to 8:00 p.m., winter excluded from enforcement of these hours due to the unpredictable nature of snow removal.
- c) Total vehicles and equipment on site not to exceed 24.
- d) Total vehicles and equipment stored outside at any one time not to exceed 18.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
SEPTEMBER 8, 2015

- e) Outdoor material storage size not to exceed 18 yards of any individual item, limited to gravel, sand, boulders and topsoil.

The six standards under DCCO section 10.255(2)(b) were considered with the following votes:

1. Approved 4-1
2. Approved 5-0
3. Approved 5-0
4. Approved 5-0
5. Approved 4-1
6. Approved 5-0

MOTION CARRIED 4-1 (DuPlayee opposed).

- B. Discuss/Consider progress of property clean-up at 2842 Gaston Road: The property owners were present and asked to be allowed until the end of September to complete the residing of the outbuilding. **MOTION** by DuPlayee/Williams to extend the deadline for residing of the outbuilding to September 30th, with no more extensions granted. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of Collective Bargaining Agreement between the Deer-Grove EMS District and International Association of Fire Fighters Local 311: Lt. Jerry McMullen, who had lead the bargaining committee, said that negotiations had gone smoothly and without legal costs except to draft the tentative agreement to include the negotiated terms. The main thing the union was looking for was wage steps, which a spreadsheet showed occurring over the proposed three year contract, along with the wage related costs for each of the three years. There were also three non-budgeted items, including the extension of benefits to continue for up to 6 months under workers compensation, use of accrued vacation after 6 months of employment, and allowing for vacation hours to count toward overtime when an employee would normally be scheduled for 48 hours during the week of the vacation. **MOTION** by DuPlayee/Williams to approve the Collective Bargaining Agreement between the Deer-Grove EMS District and International Association of Fire Fighters Local 311 as presented. **MOTION CARRIED 4-0-1** (Anders abstained).
- D. Discuss/Consider approval of a second driveway for 1986 Nora Road: Highway Superintendent Jeff Smith was not at the meeting but had advised Hampton that he has no problem with the second driveway as represented on the diagram provided. **MOTION** by Anders/Fonger to approve a second driveway for 1986 Nora Road as presented. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of waiver of Change of Land Use Fee for the Madison Area Radio Control Society: An email from MARCS President David Rush requested the waiver based on the club status of the applicant, stating that Dane County has waived their re-zoning fees. **MOTION** by Fonger/Anders to waive the change of land use fee. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of loan for 2016 Patrol Truck: The Treasurer provided three loan quotes for a 60 month loan for \$109,195.00 with 5 annual payments.
 1. Bank of Sun Prairie: 1.75% interest
 2. Monona State Bank: 2.45% interest

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3. Wisconsin Bank & Trust: 1.95% interest

MOTION by DuPlayee/Williams to accept the quote from the Bank of Sun Prairie.

MOTION CARRIED 5-0.

- G. Discuss/Consider approval of Agreement for Maintenance Assessment Services for 2016, 2017, 2018 with Associated Appraisal Consultants, Inc.: The agreement calls for payment of \$8,000 in 2016, \$8,100 in 2017 and \$8,200 in 2018, with an additional \$.15 per parcel per month for internet posting of assessment data. **MOTION** by DuPlayee/Hampton to approve the agreement as presented. **MOTION CARRIED 5-0.**
- H. Discuss/Consider additional storage for 2011 Crown Vic squad car: Hampton stated that portable shelters did not seem to be the answer but had obtained a quote to cut another door in the police building for \$9,350. **MOTION** by Williams/Fonger to not provide shelter for the 2011 Crown Vic squad car, but to outfit it with a block heater if it does not already have one. **MOTION CARRIED 4-1** (DuPlayee opposed).
- I. Set 2016 Budget Workshop Meeting dates: Workshops will be held on October 20 and 22 beginning at 6:30 P.M. each night.
- J. Complete 2016 Insurance Renewal Questionnaire and set insurance quote due date and opening: The questionnaire was reviewed with no changes.
- K. **MOTION** Discuss/Consider approval of DCTA meeting on September 16th: **MOTION** by Hampton/Anders to allow 4 attendees. **MOTION CARRIED 5-0.**
- III. CLERK'S REPORT: The Clerk distributed a memo from the WTA including 2016 dues.
- IV. BOARD REPORTS AND COMMUNICATIONS: Hampton reported receipt of an Air Pollution Control Operation Permit for Dane County Landfill, Site 2. It will be available at the Town Hall.
- V. COMMITTEE REPORTS:
- A. Flynn Hall Committee: The 2016 budget will be the same as 2015, and quotes for a replacement furnace are being sought.
- B. Deer-Grove EMS: The commission is working on the 2016 budget.
- VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:35 P.M.

Kim Banigan, Clerk
Approved 10/05/2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 5, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Treasurer Debra Abel.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DePlayee to approve the minutes of the Town Board meeting held on September 8, 2015 as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by Williams/Anders to approve payment of bills corresponding to checks # 23971-24060 including voided 23960 and 24009, as presented. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of September per diems as presented, and payment of \$4,655 to Viken Inspection Agency LLC for September building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS:

- A. Discuss/Consider wording for Dan Johnson memorial at the park at 4539 American Way and possible renaming of the park: Andrew Grob suggested renaming of park to SRA Daniel Johnson Park and presented sample wording for plaque. **MOTION BY** DuPlayee/Fonger to approve wording on plaque pending correction of grammatical errors. **MOTION CARRIED 5-0.** Final approval of renaming to be addressed at October 19 meeting.
- B. Discuss/Consider progress of property clean-up at 2842 Gaston Road: As of October 4th shed had not been sided. Waiting arrival of property owner. See I. below.
- C. Discuss August Police Activities: August police activities discussed. No police department representative attended.
- D. Discuss/Consider approval of the 2016 Deer-Grove EMS District Budget: **MOTION BY** DuPlayee/Williams to approve. **MOTION CARRIED 4-0-1.** (Anders abstained)
- E. Discuss/Consider adoption of a Resolution amending the 2015 Town Budget: **MOTION BY** Fonger/Anders to adopt resolution This will be Budget Resolution 2015-01. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval removal of trees at the North American Heritage Park: **MOTION** by Fonger/Williams to hire The Tree Trimmer to remove two trees at a cost of \$2,000 using 2014 carryover funds. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of an Agreement with Strand Associates for 2016 Monitoring Services for the Natvig Road Landfill. **MOTION BY** Fonger/DuPlayee to approve with no changes except date. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval of DCCO 2015 Ordinance Amendment 16 Certification of Dane County Farmland Preservation Zoning Ordinance. **MOTION BY** Hampton/Anders to approve. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 5, 2015

- I. Discuss/Consider progress of property clean-up at 2842 Gaston Rd: Owner did not appear.
MOTION BY Anders/Fonger to refer matter to Police Department. **MOTION CARRIED BY 5-0.**

III. CLERK'S REPORT: None. Clerk is on medical leave.

IV. BOARD REPORTS AND COMMUNICATIONS:

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission.
- B. Plan Commission
- C. Joint Town/Village Landfill Monitoring Committee
- D. Joint Town/Village Fire Department Committee

VI. Adjournment: **MOTION BY** DuPlayee/Williams to adjourn meeting. The meeting ended at 8:15 P.M.

Bev Homburg, Deputy Clerk
Approved 10/19/2015

TOWN OF COTTAGE GROVE

4058 County Road N
Cottage Grove, WI 53527

BUDGET RESOLUTION 2015-01

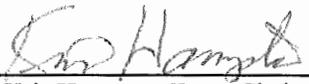
A resolution allocating unassigned funds and amending the 2015 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

BE IT RESOLVED by the TOWN BOARD of the Town of Cottage Grove that the following adjustments be made to the 2015 Town budget:

Revenue			Expense			Explanation
41800	Interest Income	(50.00)	52720	Debt Service Interest	(50.00)	Liberty Cemetery Interest Earned
41960	Liberty Cemetery Interest Income	50.00				Balances Cemetery Fund
			51940	Non-Hwy Wages	800.00	Liberty Cemetery Expense Balances Cemetery Fund
			50440	Clerk's In Lieu of Health Ins.	(1,130.76)	Wages Adjusted For Loss of Health Insurance Benefit
			50480	Clerk Hourly Wage	1,130.76	
			50504	Treasurer in Lieu Of Health Ins.	(1,130.76)	
			50500	Treasurer Wages	1,130.76	
			51700	Patrolman In Lieu of Health Ins	(9,046.08)	
			51730	Patrolman Wages	9,046.08	
43060	Unassigned General Fund	37,696.40	50710	Town Hall Maintenance	37,696.40	2014 Funds Used To Pave Town Hall Parking Lot
43060	Unassigned General Fund	4,394.00	50710	Town Hall Maintenance	4,394.00	2014 Funds Used For Furnace/AC replacement
43000	Hydrite Chemicals Fund	680.26	50930	Hydrite Chemical Settlement Exp	680.26	Hydrite Fund Balance Applied To 2015 Well Testing
43050	ATC Impact Fees Applied	936.00	52140	Landfill Monitoring - Town	936.00	ATC Fund Applied To Landfill Trees
40530	Received Forest/ Managed	(470.00)				Combine Accounts
40540	Paid Cnty- Forest /Managed	470.00				
43060	Unassigned General Fund	1,875.00	52550	Highway Equipment Outlay	1,875.00	2014 Funds Used For New Woods Tiller
42010	Sale of Highway Eq. & Property	20,000.00	52550	Highway Equipment Outlay	(8,305.00)	Adjust Capital Outlay Budget:
42320	Promissory Note Proceeds	(28,305.00)				Proceeds From Loader Higher Than budget
			52000	Highway Maintenance Contracts	16,000.00	Decreased Loan Amount Due To Increased Proceeds
			52550	Highway Equipment Outlay	(16,000.00)	Move Remaining Capital Budget To Maint. Contracts
Total Change In Revenue		37,276.66	Total Change In Expense		38,026.66	
			Net Change		750.00	Liberty Cemetery Fund

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and _____ abstentions on this 5th day of Oct, 2015.

TOWN OF COTTAGE GROVE


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 19, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site.
- B. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Treasurer Debra Abel. B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on October 5, 2015 as corrected. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills: **MOTION** by DuPlayee/Anders to approve payment of bills corresponding to checks #24061-24100 including voided 24059,24060,24063, 24067,24074 and 24075, as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: Rick Blakely expressed concern about the lack of speed limit signs on Baxter Road. He suggested the Town Board consider additional signs. Hampton asked the Board if they would like to add the issue to the November 2 agenda. The Board declined.
- F. Road Right of Way Permits: None

II. BUSINESS:

- A. Discuss September Police Activities: Deputy Grafton reported that there were 222 calls for service in the month of September.
- B. Discuss 2016 Budget: The Town Residents presented their proposal for the Cedar Knolls park equipment. **MOTION** by Fonger/Williams to purchase item #NJ-2281 from the Burke Premiere catalog for \$31,000. Equipment is to be purchased in 2015 using excess funds from the police department budget. In addition the residents will install the equipment according to specification and overseen by Jeff Smith. **MOTION CARRIED 5-0.**

Jeff Smith presented 2016 public works capital purchases for the board to take into consideration at the budget meeting. He requested the following:

1. Purchase tractor with two mowers for \$120,000 to replace 2001 tractor.
2. Purchase two parks mowers for \$38,000 and trade in or sell older two mowers for no less than \$6,500 apiece.
3. Replace or patch the shop roof.
4. New doors on the pole shed for \$2,500 apiece. Possibly replacing a total of five doors.

Hampton suggested replacing the furnace at Flynn Hall and having the ordinances reviewed by an outside party for updating. The Town Board rejected updating the ordinances.

- C. Discuss/Consider renaming American Heritage Park located at 4539 American Way: Andrew Grob presented his information. **MOTION** by Williams/DuPlayee to rename the park as Senior Airman Daniel Johnson Park. **MOTION CARRIED 5-0.** **MOTION** by Anders/Fonger to approve wording (as revised by Anders) on plaque. **MOTION CARRIED 5-0.**
- D. Discuss/Consider using \$5,000 from Pleasant Springs capitol fund for advertising/retention for volunteer firemen: **MOTION** by Williams/Anders to use \$5,000 from Pleasant Springs capitol fund for advertising/retention for volunteer firemen. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
OCTOBER 19, 2015

III. CLERK'S REPORT: None. Clerk is on medical leave.

IV. BOARD REPORTS AND COMMUNICATIONS:

V. COMMITTEE REPORTS:

VI. Deer-Grove EMS Commission - The October commission meeting was canceled.

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

Minutes compiled from notes taken by Debra Abel and Kristi Williams
Approved 11-02-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 2, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with clerk Kim Banigan, Treasurer Debra Abel., and Highway Superintendent Jeff Smith.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s):
 1. **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on October 19, 2015 as printed. **MOTION CARRIED 5-0.**
 2. **MOTION** by Williams/Fonger to approve the minutes of the October 20, 2015 Budget Workshop as printed. **MOTION CARRIED 5-0.**
 3. **MOTION** by Williams/DuPlayee to approve the open session minutes of the October 22, 2015 Budget Workshop as printed. **MOTION CARRIED 5-0.**
 4. **MOTION** by Williams/DuPlayee to approve the minutes of the October 28, 2015 joint Town Board and Plan Commission meeting as printed. **MOTION CARRIED 5-0.**
 5. **MOTION** by DuPlayee/Williams to approve the closed session minutes of the October 22, 2015 Budget workshop as printed, 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 #24101-24138 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of October per diems as presented. **MOTION CARRIED 5-0.**
 3. **MOTION** by Anders/DuPlayee to approve payment of \$2,640.00 to Viken Inspection Agency, LLC for October building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: Mark Olejnick, 1796 Strawberry Road, requested that the speed limit on the portion of Ridge Road north of County BB be reduced to 45 m.p.h. This will be on the November 16th agenda for action.
- F. Road Right of Way Permits: None

II. BUSINESS:

- A. Plan Commission Recommendations:
 1. David Rush/Madison Area Radio Control Society, applicant, Huston Holdings LLC, landowner – parcels 0711-153-9001-0 and 0711-153-8500-8 located north of 2342 Uphoff Road – seeking rezone of 1.03 acres from A-1 EX to RE-1 for radio control model planes, helis and multi-rotors: The Clerk distributed an anonymous letter received in today's mail from a MARC club member opposing the site. David Rush presented a request for changes to the conditions approved by the Plan Commission. Betty Devine, 2342 Uphoff Road, stated she did not have any problem with the flying of electric planes. **MOTION** by Anders/Williams to allow MARC to allow electric flying from sunrise to sunset 365 days per year. The driveway must be improved to allow access by the ambulance. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 2, 2015

MOTION by Williams/Anders to limit gas and glow flying to a maximum of 8 times on every other Tuesday and Saturday from April 26 through June 18, 2016, from 10 a.m. to 2 p.m. Planes must be certified/documented to be below 85 dBA at 50 feet prior to flying, with compliance of this monitored by club members during flight. The Town will re-evaluate with input from neighbors at their June 20, 2016 meeting. **MOTION FAILED 2-3** (Fonger, Anders and DuPlayee opposed).

MOTION by Fonger/DuPlayee to limit gas and glow flying to a maximum of 8 times from April 26 through June 18, 2016, from 10 a.m. to 2 p.m. on every other Tuesday and from 10 a.m. to 4 p.m. on every other Saturday. Planes must be certified/documented to be below 85 dBA at 50 feet prior to flying, with compliance of this monitored by club members during flight. The Town will re-evaluate with input from neighbors at their June 20, 2016 meeting. **MOTION CARRIED 3-2** (Hampton and Williams opposed.)

2. Mark Fredenberg/Applicant, William Hoekstra/Owner, 2445 Gaston Road, parcel 0711-041-8011-5: seeking rezone of .75 acres from RH-4 to R-1 to build storage shed for firewood and two tractors: **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of .75 acres from RH-4 to R-1. **MOTION CARRIED 5-0.**
3. William and Sheryl Rickerman/Applicants, 2760 Hwy 12&18, parcel 0711-321-8530-8, seeking rezone of 5.07 acres from RH-2 to C-2 for a Snap-On Tool business and storage building, 30'x40', with a conditional use permit for a caretaker residence: **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to rezone 5.07 acres from RH-2 to C-2 for Snap-On Tool business, with 3.07 acres for the commercial building and a CUP for a single residence for watchman or caretaker, with the following conditions:
 - a) Parking or storing of motor vehicles related to the business, limited to 4.
 - b) Warehousing and storage of incidentals related to permitted use.
 - c) Commercial building to be 30' x 40'.
 - d) No signage or exterior lighting.

The six conditions under DCCO section 10.255(2)(b) for the conditional use were considered satisfied. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of a Draft Intergovernmental Agreement for an Adaptive Management Plan for the Yahara Watershed: Dave Taylor, Director of Ecosystem Services Madison Metropolitan Sewerage District, was present to discuss the agreement. He advised that the Town's share of the cost would be more like \$6,000, not \$31,000 as shown in the draft agreement. This would be dependent upon the DNR accepting the figures and methods used by Stormwater Consultant Chuck Nahn in his 2010 report (there have been no significant changes to stormwater systems in the Town since that time). Attorney Anderson had reviewed the draft and indicated she does not have any issues with it. **MOTION** by Hampton/Anders to direct Chuck Nahn to provide his 2010 figures and methods to the DNR for a determination of compatibility. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of a Certified Survey Map for a land swap between Viney Acres, LLC and Greg & Anita Heisig at 2074 US Hwy 12 & 18: **MOTION** by DuPlayee/Williams

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 2, 2015

to approve the CSM identified as Office Map No. 150464 dated August 26, 2015. **MOTION CARRIED 5-0.**

- D. Discuss/Consider approval of a Certified Survey Map for Amy Fluke at 3098 Hope Hollow Trail: **MOTION** by DuPlayee/Williams to approve the CSM identified as Office Map No. 150508 dated October 16, 2015. **MOTION CARRIED 5-0.**
- E. Discuss/Consider progress of property clean-up at 2842 Gaston Road: An email from property owner Margy Newton indicated that the owners do not intend to attend any more meetings on this topic and are proceeding with siding the outbuilding as expediently as possible. **MOTION** by Hampton/Anders to direct the Town Attorney to work with the Building Inspector to enforce TCG Ord. Section 11.09 for the property at 2842 Gaston Road. **MOTION CARRIED 5-0.**
- F. Lt. Gordon Bahler was in attendance and stated that the deputies have agreed to use their discretion to flex their schedules to provide coverage on a more randomized schedule to include morning rush hour and bar time.
- G. Discuss/Consider approval of contracted amount for the County Sheriff's Office for 2016 Police Services: **MOTION** by Anders/DuPlayee to approve the contract amount at \$359,015.00. **MOTION CARRIED 5-0.**
- H. Discuss/Consider approval of revised quote for play structure for Cedar Knolls park: The revised quotation included optional add-ons including 60 cubic yards of wood matting. Discussion was that the usual sand base would be adequate, and no action was taken, leaving the cost of the play structure capped at \$31,000 as previously approved.
- I. Discuss/Consider approval of a new furnace for Flynn Hall: Four quotes were received:
- McCutchin Heating and A/C, LLC: \$2,600 for 100,000 BTU 96% efficiency Heil furnace.
 - Wohlers Heating and A/C Corp: \$2,730 for 115,000 BTU 95% efficiency Rheem furnace.
 - High Tech Heating and A/C, Inc: \$3,100 for a 110,000 BTU 93% efficiency Lennox furnace or \$4,050 for a 96% efficiency Lennox furnace.
 - Landmark Heating and Cooling: \$3,280 for a Lennox 95% efficiency furnace.
- MOTION** by DuPlayee/Hampton to accept the quote from McCutchin Heating and A/C to remove the old furnace at Flynn Hall and replace with a Heil G9MXE1002620A furnace for \$2,600 from 2014 carryover funds. **MOTION CARRIED 5-0.**
- J. Discuss/Consider approval of the Town's share of the cost to improve Luds Lane: Smith reported that Dane County has offered to pave the Town's portion of Luds Lane for \$20,000 at the same time they are improving the portion serving their new facilities. There was discussion over the future of the Town's portion of Luds Lane considering pending plans to re-route County AB. It currently serves two residences. **MOTION** by Anders/DuPlayee to approve payment of up to \$20,000 to pave the Town's portion of Luds Lane in 2016. **MOTIN CARRIED 5-0.**
- K. Discuss/Consider approval of replacing overhead doors on the garage and cold storage building. Smith had three quotes to replace the five doors and add one door opener:
- Janesville Door Company: \$12,296 for Raynor doors (same brand as current doors).
 - Peak Garage Doors: \$10,381 for Raynor doors.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 2, 2015

- Northland Door Systems: \$10,656 for Haas doors.

MOTION by Fonger/Williams to accept the quote from Peak Garage Doors for 5 Raynor doors and one door opener for \$10,381 using 2014 carryover funds.

- L. Discuss/Consider proposals for banking services: The Treasurer had obtained proposals from Wisconsin Bank & Trust, Monona State Bank and Bank of Sun Prairie. She stated that Monona State Bank's proposal offered the highest interest rate and the most comprehensive list of services, including lockbox service for tax collection at no additional cost. **MOTION** by Williams/DuPlayee to move the general fund checking and money market accounts to Monona State Bank. **MOTION CARRIED 5-0.**
- M. Budget approval of the 2016 Town Budget, and set date for a Public Hearing and Special Meeting of the Electors. Adjustments were made to the draft 2016 budget to add \$6,000 for Adaptive Management and increase Stormwater Management from \$1,600 to \$6,100 based on the discussion under item II. B. above. Highway Maintenance Contract expenses were reduced to balance the budget. **MOTION** by Hampton/DuPlayee to approve 2016 revenues and expenditures in the amount of \$2,605,192.70, and set a public hearing for the 2016 budget for 6:30 P.M. on Monday, December 7, 2015, with a special meeting of the electors to approve the Town tax levy and 2016 highway expenditures to immediately follow. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that Hydrite has provided revisions to their Class I feasibility of operation plan, and that he recently attended a meeting regarding Madison's plans for the Yahara Hills area where he heard that Madison intends to have their planning for the Hwy 12 & 18 corridor completed by the summer of 2016.

V. COMMITTEE REPORTS: None.

VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn meeting. **MOTION CARRIED 5-0.** The meeting ended at 9:27 P.M.

Kim Banigan, Clerk
Approved 11-16-2015

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 16, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith and Deputy Jennifer Grafton.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on November 2, 2015 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 #24139-24190 as presented. **MOTION CARRIED 5-0.**
 2. The Treasurer asked that November per diem reports be submitted by December 4th.
- E. Public Concerns:
 1. Andrew Grob updated the board on his Eagle Scout project at Sr. Airman Dan Johnson Memorial Park. Since the park name on the plaque is too small to be seen from the road, Pechmann Memorials is suggesting that the name also be carved into the benches. There was consensus to go with this plan.
 2. Wayne Wollin, 4489 Ridge Road, said that farmers need help removing debris from the Koshonong Creek to alleviate flooding of their lands. Consensus was to contact the DNR to find out if they are willing to do the clearing or if they will allow the Town to do it. It was noted that inmates had been used to clear debris in the past.
- F. Road Right of Way Permits: None

II. BUSINESS:

- A. Discuss/Consider reducing the speed limit on the portion of Ridge Road between County Road BB and I-94: Mark Olejniczak, 1796 Strawberry Road, presented a petition signed by 18 residents on Ridge and Strawberry Roads and Meadowview Lane requesting that the speed limit on this stretch of Ridge Road be reduced to 45 m.p.h. An attachment to the petition showed that a recent truck vs. deer accident on Ridge Road resulted in 75 foot skid marks and the truck traveling 55 feet off the roadway. The Clerk had acquired accident reports for the past five years from both Dane County and the Cottage Grove Police Departments.

Olejniczak stated that there is precedence for this change in similar action taken for speed limits on other portions of Ridge Road, along with West Ridge and Vilas Hope Roads. He further stated that roads with 55 m.p.h. speed limits typically have wider traffic lanes, shoulders and ditches.

Anders questioned the traffic volume on Ridge Road compared to other roads where the speed limit has been dropped.

Carol Livingston, 4246 Ridge Road, said that she does not feel safe when backing their travel trailer onto Ridge Road due to the speed at which cars come over the hill to the north. She also has concerns for the small children at a neighboring property, and does not feel safe walking along Ridge Road. She said there are two issues: Speeders and safety.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 16, 2015

Wayne Wollin 4489 Ridge Road, and Silvin Kurt, 4498 Ridge Road, both stated they are long time residents of Ridge Road and see no reason to reduce the speed limit.

Dave Muehl, 1682 County Road BB and owner of a property on Ridge Road, offered the idea of suggested speed limit signs as an alternative way to slow down traffic.

Dane County Deputy Highway Commissioner Pam Dunphy has advised Smith that before the Town can reduce the speed limit, an engineering study and traffic count must be performed, which cannot be done until the Spring at a cost of \$500-\$1,000, which some towns have been charging to the petitioners.

Deputy Grafton suggested that the deputies increase their presence on Ridge Road so they can make a recommendation to the Town Board.

MOTION by Anders/DuPlayee to table the subject until after a traffic study can be done next April, and in the meantime direct our contract deputies to keep a closer eye on the area and report back to the board. **MOTION CARRIED 5-0.**

- B. Discuss/Consider approval of a Certified Survey Map for Kurt Dairy land swap on Ridge Road: The Clerk distributed a CSM revised today to address conditional approval by the County. **MOTION** by Anders/Williams to approve the CSM identified as Office Map 150236 dated November 16, 2015. **MOTION CARRIED 5-0.**
- C. Review October Police Activities: The monthly report showed 185 citations and 239 calls. Deputy Grafton reported that speeding and OWI citations are up, and noted that some drug related traffic stops do not show up on our report until the next month as they have to be hand written. Anders expressed thanks for the good work by Deputy Biwer and another unnamed Deputy over the weekend protecting his son, a paramedic with Deer-Grove EMS, when a patient became combative. His comments lead to more praise from board members for the good job our contract deputies are doing for us, and confirmation of what a good decision it was to contract with the Sheriff's office for police services.
- D. Discuss/Consider adoption of a Resolution Designating Public Depositories: Hampton read the resolution, and stated that the reason for it is to add Monona State Bank. **MOTION** by DuPlayee/Williams to adopt the resolution as read. **MOTION CARRIED 5-0.** This will be Town Board Resolution 2015-06.
- E. Discuss/Consider approval of a 60 month lease contract for a Savin MP C2003 copier: **MOTION** by DuPlayee/Williams to approve the 60 month lease contract as presented. **MOTION CARRIED 5-0.**
- F. Update on TRIP funding for 2016: Hampton reported that the Town has been awarded \$15,388 to be used toward 2016 paving projects.

III. CLERK'S REPORT: Today Attorney Anderson emailed a draft of a notice to the owners of 2842 Gaston Road regarding violations of TCG Ord. 11.09, which she intends to send tomorrow.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- 1. The 2016-20 Transportation Improvement Program for the Madison Metropolitan Area and Dane County is available in the Town Office.
- 2. Recent legislation allows the Town web site to be considered as a legal posting location for notice, and reduces the number of other posting locations from three to one. The board will consider where to post future notices at their December 7th meeting.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
NOVEMBER 16, 2015

3. He has concerns over the Board's decision to not follow manufacturer recommendations regarding the base for the new play structure to be put at the Cedar Knolls park. There was no interest in reconsidering at this point, but maybe in the Spring.

V. COMMITTEE REPORTS:

- A. Emergency Government Committee: DuPlayee reported that the committee is preparing for a tabletop demonstration in January or February.

- VI. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:05 P.M.

Kim Banigan, Clerk
Approved 12-07-2015

TOWN OF COTTAGE GROVE

4058 County Road N
COTTAGE GROVE, WISCONSIN 53527

RESOLUTION 2015-04 RESOLUTION DESIGNATING PUBLIC DEPOSITORIES

BE IT RESOLVED until further action by the Town Board:

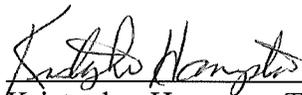
1. That all prior resolutions by the Town of Cottage Grove designating depositories for the public funds are hereby canceled and withdrawn.
2. Pursuant to Section 34.05, Wis. Stats., the following institutions, all qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated, as public depositories for all public moneys coming into the hands of the Treasurer of the Town of Cottage Grove, Dane County, Wisconsin.
 - a. Monona State Bank, 341 W. Cottage Grove Road, Cottage Grove, Wisconsin, 53527;
 - b. Bank of Sun Prairie, 419 West Cottage Grove Rd., Cottage Grove, Wisconsin, 53527;
 - c. Wisconsin Bank & Trust, 580 N. Main Street, Cottage Grove, Wisconsin, 53527;
 - d. The local government pooled-investment fund, administered by the Wisconsin State Treasurer's Office, at whatever address it may use from time to time.

The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. stats., within 30 days of the below noted adoption date.

The above resolution was duly adopted by the Town Board of the Town of Cottage on this 16th day of November, 2015, by a vote of 5 for, 0 against and 0 abstain.

TOWN OF COTTAGE GROVE

ATTEST:



Kristopher Hampton, Town Chair



Kim Banigan, Town Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 7, 2015

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at Town Hall, the park at 4539 American Way, Gaston Road at Brown Thrush and US Hwy 12 & 18 at County Road BN, and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Attorney Connie Anderson, Fire Chief Bruce Boxrucker and Assistant Fire Chief Tom Banigan.
- 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 Town Board meeting held on November 16, 2015 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 #24191-24249, including voided checks #24191 and 24203, as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by DuPlayee/Williams to approve payment of November per diems as submitted, and payment of \$1,550.00 to Viken Inspection Agency LLC for November building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.
- F. Road Right of Way Permits: None

II. BUSINESS:

- A. Consider approval of the 2016 Town Budget: **MOTION** by DuPlayee/Williams to approve the 2016 Town Budget as presented at the public hearing earlier tonight. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of permitting the Village of Cottage Grove to install and maintain a water main extension in the right-of-way along the north side of Gaston Road: Mike Maloney and Travis McDermott from MSA represented the Village of Cottage Grove Water Utility, which will provide 100% of the funding for the project. Maloney said construction during the summer of 2016 would install a 16" water main 8 feet north of the centerline of Gaston Road. Plans are to saw cut on the centerline and replace the north side of the road with a 12 inch gravel base and 4 inches of asphalt, or match the existing if it is greater, restore the gravel shoulder, affected driveways and ditches, and striping. Seven fire hydrants would be included, placed 15-20 feet from the edge of the pavement at the closest. Chief Boxrucker stated he is fine with this. Meetings with the homeowners would be scheduled to discuss construction/access plans and hydrant position. MSA will video the roads beforehand, and suggested that the Town may want to as well. Maloney guesstimated the Water Utility's cost for the road portion of the project at \$1.4 million.

Discussion:

Hampton asked how the ditches would be protected from erosion during hydrant flushing, Maloney said a pressure reducing system could be implemented.

Smith said the Village would need to take care of mowing and shoveling around hydrants.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 7, 2015

Chief Boxrucker asked if valves would be included to allow for additional hydrants in the future. Maloney said not at this time.

Anders wondered how a separation of the new and old side of the road could be prevented. Smith felt the whole road should be replaced, or at least the black top should be tied together. He has the Town Engineer is coming out tomorrow to discuss the project.

Jerry Helgeland, 2620 Gaston Road, asked if MSA knows where the other utilities are, and noted that Alliant had not been able to get through the bedrock on Gaston Hill. Maloney said the gas main is on the south side of the road, and soil borings to 10 feet showed no rock to hinder the project. Plans are to go under the concrete culverts using trenchless technology. Helgeland also asked if the water main could be used to feed future development of land he owns to the south of Gaston Road. Maloney said that would most likely be served from the south.

Howard Lohaus, 2768 Gaston Road, wondered how they will deal with gas main laterals to homes on the north side. Maloney said the water main will go under the gas laterals. Lohaus also asked why only a 16" pipe, and whether they would rip up the entire road at once or as they lay the pipe. Maloney said that 16 inches is as large as they usually design, and said he sees the road being ripped up all at one time, and also paved all at one time. He said there will be some inconvenience, but the residents will be kept abreast of the plans by the week. Flagmen will be on site and the road will be passable at all times, although he suggested limiting traffic to local only to speed up the process. Everything would be recovered to gravel at the end of each day, and dust control would be practiced.

Hampton was interested to know if installing the water main along the interstate would be more cost effective. Maloney said it would be challenging to move the main.

Anders questioned the placement of the water main on the Jensen property, stating that it would appear to make portions of it unsalable. It was determined that the placement of the water main corresponds to the Village's plans for a future road.

Hampton asked if the Village will allow hookups to Town residences without annexation in the event of a well failure. Maloney did not think there would be a problem with that but Atty. Anderson said that would need to be in writing.

A bond or letter of credit and the Town as an additional insured will be needed for the road.

MOTION by DuPlayee/Williams to table until the December 21st meeting. Additional information requested for that discussion to include:

Plans for flushing without creating erosion

Examples of other places where half of the road has been replaced.

MOTION CARRIED 5-0.

- C. Discuss/Consider compliance with notice regarding violations at 2842 Gaston Road and/or need for further enforcement: Hampton reported that siding of the outbuilding has been completed, and consensus was there is no need for further enforcement.
- D. Discuss/Consider creating an ordinance regarding legal posting and publication and designation of official newspaper: The Clerk explained that Attorney Anderson provided the draft ordinance in response to a question about recent legislation allowing municipalities to post notices in just one location as long as they are also posted on the internet. **MOTION** by

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
DECEMBER 7, 2015

DuPlayee/Williams to hold a public hearing for the proposed ordinance on December 21st, and include an item on the Town Board agenda for adoption that same night. **MOTION CARRIED 5-0.**

- E. Discuss/Consider approval of an Insured Cash Sweep Account agreement with Monona State Bank: Atty. Anderson said she had reviewed the agreement and found it to be acceptable. **MOTION** by DuPlayee/Anders to approve the agreement as presented. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of a contract with Monona State Bank for lockbox service for first installment property tax collection: Atty. Anderson said she had reviewed the agreement and found it to be acceptable. **MOTION** by Williams/DuPlayee to approve the agreement as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of conditions as amended by the Dane County ZLR for CUP 2331 for Don Peckham, parcels 0711-071-8790-7 and 0711-071-9050-0 on County Road BB: The Clerk stated that the first version she received from the County of CUP 2331 was missing some of the conditions imposed by the Town, but when she called the Dane County Zoning Administrator's attention to this, he emailed her one that matched the Town's conditions and stated it was a cut and paste error, that the version approved by the County did in fact include all of the Town's conditions. **MOTION** by Anders/Fonger to approve CUP 2331 as amended by the Dane County ZLR as stated in the version emailed from Roger Lane. **MOTION CARRIED 5-0.**
- H. Discuss/Consider appointment of 2016-2017 Election Inspectors: The Clerk noted that the Republican Party submitted a list of two nominees who were already on the list for board approval, and the Democratic party did not submit a list. **MOTION** by Anders/DuPlayee to approve the appointment of all 23 nominees as 2016-2017 Election Inspectors. (see list attached as appendix A.) **MOTION CARRIED 4-0-1** (Williams abstained).

III. CLERK'S REPORT: None.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton:

- 1. The 2016-20 Transportation Alternatives program cycle has begin.
- 2. The DOT has offered to hold a public hearing here regarding the environmental assessmnt for the proposed freeway . Consensus was to request a public hearing in January.
- 3. Hampton will attend a meeting next Thursday on Watershed Adaptive Management

V. COMMITTEE REPORTS:

A. Emergency Government Committee: The November meeting was canceled.

VI. Adjournment: **MOTION** by Anders/Fonger to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:17 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
DECEMBER 21, 2015

PUBLIC HEARING FOR PROPOSED CREATION OF ORDINANCE SECTION 22.08 LEGAL POSTING AND PUBLICATION, DESIGNATION OF OFFICIAL NEWSPAPER.

- 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, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Treasurer Debra Abel, Highway Superintendent Jeff Smith, Engineer Warren Meyers, Attorney Connie Anderson and Deputy Jennifer Grafton. Others present are listed on the sign-in sheet available in the Clerk's office.
- II. Hampton read the notice and asked if there were any questions or comments. There were none.
- III. MOTION by DuPlayee/Anders to close the public hearing. MOTION CARRIED 5-0. The public hearing ended at 7:04 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice and attendance was as described for the public hearing above.
 - B. Hampton called the meeting to order at 7:04 P.M.
 - C. Minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Public Hearing, Special Meeting of the Electors and Town Board meeting, all held on December 7, 2015, 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 #25250-24291, including voided checks #24201 and #24231, as presented. **MOTION CARRIED 5-0.**
 2. The Treasurer asked that December per diem reports be submitted by December 31st.
 - E. Public Concerns: None.
 - F. Road Right of Way Permits: None
- II. BUSINESS:
 - A. Discuss/Consider approval of permitting the Village of Cottage Grove to install and maintain a water main extension in the right-of-way along the north side of Gaston Road: Engineer Travis McDermott represented the Village of Cottage Grove Water Utility. Attorney Anderson began by suggesting it may be useful to have a joint meeting with the utility commission and the Town Board. She then questioned whether the project could be delayed until 2017 since it was brought to the Town Board after they had already finalized the Town's 2016 budget. McDermott did not think a year delay would be possible. Then Atty. Anderson, with assistance from Engineer Warren Meyers, described the permit conditions the Town Board discussed in closed session earlier this evening, which are detailed in a resolution she drafted for the Board's consideration and is attached to these minutes as Exhibit A. In addition to standard conditions regarding authority and oversight of the project, there is a requirement that the Village go beyond their original proposal to pave just the north side of the road and also mill and pave the south side at the same time, to prevent differential heaving of the two traffic lanes. Meyers specified that the native fill be used on the north side as much as possible for the same reason.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
DECEMBER 21, 2015

Discussion:

Romayn Rote, 2964 Gaston Road, felt that a new base should be installed under both sides of the road before it is repaved. Myers said that while everybody would probably agree with him technically, it would be cost prohibitive to do that.

Beth Blazer, 2590 Gaston Road, said that the road is already in bad shape due to truck traffic from the quarry. She does not want a hydrant in front of her house and also complained about the noise from the overhead power lines, wondering if they could be buried in the process.

Jerry Helgeland, 2620 Gaston Road, said there are a lot of big trucks other than dump trucks that use Gaston Road.

McDermott answered questions but had little comment about the conditions imposed by the Town, other than that he would take them back to the Water Utility Commission. **MOTION** by DuPlayee/Anders to adopt Resolution 2015-07 Approval for right-of-way permit to Village of Cottage Grove Water Utility for installation of water main in Gaston Road ROW (Terms and Conditions of ROW permit). **MOTION CARRIED 5-0.** Anderson stated that Smith will assemble the permit with attachments along with a request for payment of the application fee.

- B. Review November police activities: Deputy Jennifer Grafton presented the November summary report, which showed 181 calls for service and 108 citations issued, both predominately traffic related as usual. She noted that citations for criminal offenses, including second and later offense OWI's, go to the County so there are more tickets being issued than are shown on the report. She said that there have been several break-ins to unlocked cars and garages recently. When asked if she had been spending any time on Ridge Road, she said yes, and she has seen little traffic when she has driven it but there are not really any good places for her to sit.
- C. Consider adoption of TCG Ord. Section 22.08 Legal Posting and Publication, Designation of Official Newspaper: **MOTION** by Fonger/Williams to adopt the ordinance section as presented. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of official posting locations for Town Notices: **MOTION** by Anders/Williams to post notices on the Town's internet site and on the Town Hall bulletin board. **MOTION CARRIED 5-0.**
- E. Discuss/Consider amending the 2015 Town Budget: **MOTION** by Anders/DuPlayee to adopt Budget Resolution 2015-02 as presented. **MOTION CARRIED 5-0.**

III. CLERK'S REPORT: A renter of Flynn Hall suggested that there should be a first aid kit there. Consensus was to get an assortment of band aids for both Flynn and Town Halls.

IV. BOARD REPORTS AND COMMUNICATIONS:

A. Hampton reported that:

- 1. He had a 45 minute conversation with Craig Pringle regarding the DOT alternative for Hwy 12 & 18, and learned that identification of an alternative is a Federal requirement but the DOT has no intention to complete any plans east of County AB.
- 2. He will attend the County ZLR meeting tomorrow when they will consider approving the Town's Comprehensive Plan amendment.

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MEETING
DECEMBER 21, 2015

3. He attended the MMSD Adaptive Management meeting and learned that they intend to monitor the flow of Door Creek at County MN and at Hope Road. Everyone seemed happy with the latest draft of the agreement, although they still have the Town in for \$31K. Hampton contacted Chuck Nahn to make sure he is working with them to get that reduced.

V. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: DuPlayee reported that things are going smoothly with the EMS service thanks to good strides made over the past 4-5 years and a good chief. A committee is working on recommendations for a new ambulance, and has settled on a 2016 Dodge 5500 chassis. They are considering whether it may be cost effective to purchase two ambulances and trade the 2012 ambulance in while it still has significant value.

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

Kim Banigan, Clerk
Approved 01-04-2016

TOWN OF COTTAGE GROVE
Resolution 2015- 07

**APPROVAL OF RIGHT-OF-WAY PERMIT TO VILLAGE OF COTTAGE GROVE WATER UTILITY
FOR INSTALLATION OF WATER MAIN IN GASTON ROAD ROW
(Terms and Conditions of ROW Permit)**

WHEREAS, the Village of Cottage Grove Water Utility (“Village” or “Applicant”), by its engineers, Mike Maloney and Travis McDermott of MSA Professionals (“Village Engineer”), has submitted to the Town of Cottage Grove (“Town”) a request for a Right-of-Way (“ROW”) permit for the installation of a water main extension (the “Facility”) in the public right-of-way of Gaston Road; and

WHEREAS, the Village, through the application and memorandum dated November 30, 2015 (together, the “Application”) has indicated that the Facility will be installed with an open cut and that construction will occur between June 2016 and August 2016 (the “Project”); and

WHEREAS, the Town is willing to issue the permit, subject to certain terms and conditions that are deemed by the Town Board to be necessary for the public health, safety and welfare of Town residents and others using Gaston Road, all as set forth herein.

NOW, THEREFORE, the Town Board does hereby resolve as follows:

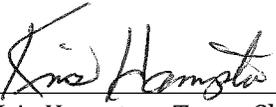
1. The Permit to Construct a Facility within the Gaston Road Right-of-Way (the “ROW Permit”) shall be issued to the Village of Cottage Grove Water Utility (“Village” or “Applicant”) subject to all standard requirements as well as the following special terms and conditions:
 - a. The Village shall submit the required review fee.
 - b. The representations set forth in the Application (including the Petition to Install and Maintain Water Utilities prepared by the Village Engineer on November 30, 2015) are hereby incorporated as terms and conditions of the ROW Permit, except as expressly amended in writing herein or by change order presented and approved by the parties hereto, in writing. Email consenting to the change order shall be a sufficient writing for these purposes.
 - c. Authorized Representatives for the purposes of binding the Town as to this Project are the Town Engineer, Warren Myers and Town & Country Engineering, Inc., and the Town Chairperson, Kris Hampton.
 - d. Authorized Representatives for the purposes of binding the Village as to this Project are the Village Engineer, the Chairperson of the Village Water Utility Commission and the Village President.
 - e. A performance bond shall be issued to the Town of Cottage Grove as required by law and in an amount reasonably determined by the Town Engineer following consideration of the Village Engineer’s opinion as to probable cost.
 - f. The portion of the Gaston Road where construction will occur shall be televised at the Village’s expense and copies of the televised areas shall be provided to the Town prior to commencement of construction.
 - g. The Town’s Superintendent of Public Works and/or the Town Engineer and/or the Town Chairperson shall be notified of and allowed to attend the preconstruction meeting and the ongoing construction meetings by and between the Village and the Village’s contractors as those meeting relate to this Project.

- h. Commencement, construction and completion of the Project shall be scheduled and coordinated with the Town's Superintendent of Public Works, Jeff Smith, following consultation with the Town Engineer.
- i. Specifications for the Project as to trench backfill and pavement restoration shall require approval by the Town Engineer and the Town Superintendent of Public Works.
- j. The water main burial shall be adjusted to allow future roadway improvements to bring the stopping sight distances and passing sight distances into conformance with currently accepted standards while still maintaining the desired cover over the water main. Specifications for the Project as to water main burial shall require approval by the Town Engineer and the Town Superintendent of Public Works.
- k. The Village shall take all reasonable precautions and do everything reasonably possible to avoid differential frost heave between the north half where the trench will be and the water main laid, and the undisturbed south half of Gaston Road.
- l. If Gaston Road is later found to be damaged because of frost heave or other consequences related to the Village's decision to construct only half of the road for this Project, the Village shall be responsible for prompt repair of the damage to standards and specifications approved by the Town Engineer. This provision shall survive completion of the Project and shall remain binding on the Village.
- m. The Village, at its sole cost, shall mill 2 ½" of asphalt from the southern half of Gaston Road so that the asphalt for the northern half and southern half can be, and are, laid at the same time. Costs associated with the milling and paving of the south side of Gaston Road shall be paid by the Village.
- n. Ditches along the north side of Gaston Road shall be cleaned and restored in a manner that facilitates proper drainage and stormwater conveyance. All work and restoration shall be consistent with the Town's MS-4 Permit Requirements and such other drainage and stormwater requirements imposed by law. Costs of restoration shall be paid by the Village.
- o. Notwithstanding the above, cost allocations determined by the Town Engineer and Village Engineer shall be subject to approval by the Town Board and Village Board prior to payment, but only where costs exceed that which the respective Board deems to be the limit of its engineer's authority.
- p. Flushing of hydrants shall be completed by the Village in a manner that does not adversely impact the property adjacent to the hydrants. Any damages and associated costs for repair and restoration caused by flushing of hydrants shall be the Village's responsibility. This provision shall survive completion of the Project and shall remain binding on the Village.
- q. The Village shall pay all costs incurred by the Town for professional services related to the Project, including legal and engineering fees.
- r. The Town and Village shall enter an agreement regarding connection of public water to Town residents that is consistent with the terms of the agreement presented to the Town Board on December 21, 2015, and the agreement shall be fully executed prior to commencement of construction.
- s. The Village shall re-stripe the road following completion of the project, at Village's sole cost.
- t. All work shall be completed in accordance with the law, and industry construction standards, including necessary and prudent erosion and stormwater controls.

2. The Village shall acknowledge and agree to the terms and conditions set forth above in writing prior to commencement of construction. If acknowledgment is by the Village Engineer, then the Village Engineer warrants and represents that it is acting as the authorized representative of the Village and is therefore authorized to bind the Village on the Application and as to the Village's compliance with the terms and conditions of the ROW Permit.
3. Time is of the essence as to performance of the terms and conditions set forth of this ROW Permit.
4. The Town Superintendent of Public Works is hereby authorized to issue the ROW Permit, provided that each and every term and condition set forth above is incorporated in the ROW Permit.

Approved by the Town Board of the Town of Cottage Grove at a duly noticed meeting held on December 21, 2015.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chairperson

Attested by:


Kim Banigan, Town Clerk

Incorporated by Reference:

1. Application signed by Village Engineer and dated November 30, 2015
2. Petition to Install and Maintain Water Utilities prepared by the Village Engineer on November 30, 2015
3. Proposed Agreement Regarding Connections and Related Documents provided by Village Engineer to Town Clerk via email dated December 17, 2015

TOWN OF COTTAGE GROVE

4058 County Road N

Cottage Grove, WI 53527

BUDGET RESOLUTION 2015-02

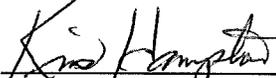
A resolution allocating unassigned funds and amending the 2015 budget of the Town of Cottage Grove, Wisconsin, adopted by a two-thirds majority vote of the entire membership of the TOWN BOARD.

BE IT RESOLVED by the TOWN BOARD of the Town of Cottage Grove that the following adjustments be made to the 2015 Town budget:

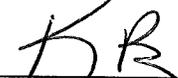
Revenue			Expense			Explanation
43060	Unassigned General Fund	2,000.00	52300	Park Expense	2,000.00	2014 Funds For Removal Of Cottonwoods At Park
43060	Unassigned General Fund	10,381.00	51870	Garage Maintenance & Repairs	10,381.00	2014 Funds For Garage Doors
43060	Unassigned General Fund	2,900.00	50750	Flynn Hall Expense	2,900.00	2014 Funds For Flynn Hall Furnace
			52300	Park Expense	28,369.00	Park Equipment For Cedar Knoll
			51010	Sheriffs Contract	(28,369.00)	Park Equipment For Cedar Knoll
Total Change In Revenue		15,281.00	Total Change In Expense		15,281.00	
			Net Change		0.00	

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 21st day of Dec, 2015.

TOWN OF COTTAGE GROVE


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk