

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
JANUARY 03, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Deputy Clerk Amber Steele, Highway Superintendent Dan Dresen, Attorney Bill Cole and Planning Consultant Nick Johnson. Supervisor Steve Anders attended virtually, and Town Engineer Nick Bubolz joined virtually later in the meeting.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the December 18, 2022 Town Board meeting with one correction to item D. on page 2. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #35959-35990, and EFTs in the amount of \$22,516.22 as presented. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Williams/DuPlayee to approve payment of December per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS

- A. Plan Commission Recommendations: Michael and Sandra Goke, applicants, Steve and Patty Gausmann, owners: Petition to rezone parcel 0711-192-9002-2 at the corner of Vilas Hope Rd and CTH AB from TFR-08 to RR-2 to allow for 21-24' outbuilding to match height of proposed new home (DCPREZ #11924): Sandra Goke and Steve Gausmann were present. It was noted that the rezone is dependent on a wetland delineation to be performed in the spring. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone from TFR-08 to RR-2 to allow for 21-24' outbuilding to match height of proposed new home. **MOTION CARRIED 5-0.**
- B. Discuss/Consider the Commercial Development Value Analysis for lands near Hwy 12/18: Nick Johnson from MD Roffers presented the Commercial Development Analysis (Exhibit A), which projected commercial value and development pace for seven areas along the proposed sewer route based on three scenarios: 1) as is, 2) with a public sewer utility and 3) with a public sewer and water utility. 20-year potential tax increments were projected for Area A. Potential funding sources for the utility were discussed. Atty. Cole suggested that individual tax increments and development pace for areas B-G would be useful in determining what the funding gap might look like. Once that is known, he suggested that Ehlers could help determine the financing cost, and said that the Village of Windsor might provide the closest example. Forming the utility and creating a TIF district could take up to 14 months. Fonger thought it would be important to invite affected property owners to learn about the project. **MOTION** by DuPlayee/Anders to direct MD Roffers to determine the tax increments and pace for areas B-G in time for the January 16th meeting. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of preparation of an assessment district map for the CTH N/Natvig Road intersection improvements and future extension of Natvig Road to North Star Road: Hampton asked if the Town or a Developer who built the intersection would be able to be reimbursed later when development occurs. Atty. Cole said the Town could, by a deferred assessment. He said it would be difficult to determine who will benefit until it is decided where the road through to North Star Road will go. Dale, Wade and Brad Huston were present. Wade said that they have no need for the road to go through to North Star Rd, so if they were to build

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the intersection, they would want compensation for the road, and would prefer it to stay close to the north edge of their property. He said sewer service could spark a lot of interest; water can be gotten other ways. Engineer Nick Bubolz said he would have little involvement in a project like this. **MOTION** by Williams/DuPlayee to direct Roffers to work with Atty. Cole to prepare an assessment district map for the CTH N/Natvig Road intersection improvements and future extension of Natvig Road to North Star Road, cost not to exceed \$4,000. **MOTION CARRIED 5-0.** A funding source for the \$4,000 was not identified.

D. Consideration of funding source for cost overage for Bass Park zip line pay mat: **MOTION** by Fonger/DuPlayee to use \$1,540 from #34050 ATC Impact Fees to cover the play mat cost overage. **MOTION CARRIED 5-0.**

E. Consideration of invitation to become a participating agency for the I-39/90/94 Corridor Study (US 12/18 to US 12/Wis 16): **MOTION** by Fonger/DuPlayee to decline the invitation. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

1. Road Right-of-Way Permits Issued: None.
2. Dresen reported that the crew responded to the first major snow event of the year over the holiday weekend, and began Christmas tree pickup today.

IV. CLERK'S OFFICE UPDATE: The field portion of the 2022 audit will be on February 3rd.

V. BOARD REPORTS AND COMMUNICATIONS: Nothing reported

VI. COMMITTEE REPORTS:

A. Cottage Grove Fire District Committee: Purchase of the 2012 Suburban from McFarland to be used as a command vehicle was approved 3-2 with both Town committee members opposing.

VII. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Discuss Treasurer position applicants: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **Fonger, Anders, Hampton, Williams and DuPlayee all voted in favor by roll call vote.** Everyone except board members, the Clerk, Deputy Clerk and Atty. Cole left, the virtual meeting was locked with only Anders in attendance, and recording was suspended. The Closed session began at 8:34 P.M.

VIII. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by DuPlayee/Williams to arise from closed session. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 9:12 P.M. The virtual meeting was unlocked and recording was resumed. **MOTION** by Hampton/DuPlayee to offer Richard Murphy the Treasurer position at an hourly rate of \$25.00. **MOTION CARRIED 5-0.**

I. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:13 P.M.

Kim Banigan, Clerk

Approved 1/16/2023

TOWN OF COTTAGE GROVE
TOWN BOARD CLOSED SESSION MINUTES
JANUARY 3, 2023

- I. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Discuss Treasurer position applicants: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **Fonger, Anders, Hampton, Williams and DuPlayee all voted in favor by roll call vote.** Everyone except board members, the Clerk, Deputy Clerk and Atty. Cole left, the virtual meeting was locked with only Anders in attendance, and recording was suspended. The Closed session began at 8:34 P.M.
- II. Atty. Cole was asked his opinion on whether it is better to have a separate Clerk and Treasurer or a combined position. He said separate is probably better but not always possible. He did not stay for the rest of the closed session.
- III. Three interviews were conducted today: two applied for Treasurer, the other was a neighbor of Court Clerk Danielle King who heard there may be a part-time office position available. Williams said all three had excellent references. Janice Van Buren could clearly do the work; however, the interviewers (Hampton, Williams, Banigan) were not interested in her for other reasons. Richard Murphy, a Town Resident who is a retired Distribution Manager from UW Hospital showed potential to be a fast learner and team player who could fit in well. Sue Kyle was also retired, with experience in a school library and management of a thrift store. Banigan thought either scenario, hiring Mr. Murphy as Treasurer, or making her Clerk-Treasurer and hiring Ms. Kyle to job share the Deputy Clerk position with Amber Steele could work. Hampton wanted to go the Clerk-Treasurer route, stating that it would be easier to hire a full-time replacement in the future.
- IV. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION by DuPlayee/Williams to arise from closed session. MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 9:12 P.M.

Kim Banigan, Clerk

Approved 1/16/2023 as an open record

TOWN OF COTTAGE GROVE
SPECIAL TOWN BOARD MEETING
JANUARY 6, 2023

- I. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan. Supervisor Steve Anders attended virtually.
- II. Hampton called the meeting to order at 1:30 P.M.
- III. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Discuss Treasurer position applicants: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **Fonger, Anders, Hampton, Williams and DuPlayee all voted in favor by roll call vote.** The virtual meeting was locked with only Anders in attendance, and recording was suspended. The closed session began at 1:30 P.M. Clerk Kim Banigan was also present.
- IV. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to arise from closed session. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 1:41 P.M. The virtual meeting was unlocked and recording was resumed. **MOTION** by DuPlayee/Williams to offer Sue Kyle a position as Deputy Clerk for two days per week at \$22.88/hour. **MOTION CARRIED 5-0.** **MOTION** by DuPlayee/Williams to schedule a special meeting of the electors at 7:00 P.M. on Monday, February 3, 2023, to consider combining the offices of Clerk and Treasurer. **MOTION CARRIED 5-0.**
- V. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 1:42 P.M.

Kim Banigan, Clerk

Approved 01/16/2023

TOWN OF COTTAGE GROVE
TOWN BOARD CLOSED SESSION
JANUARY 6, 2023

- I. CONSIDER/ADOPT MOTION TO MOVE INTO CLOSED SESSION PURSUANT TO WISCONSIN STATUTE 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Discuss Treasurer position applicants: **MOTION** by Williams/DuPlayee to move into closed session for the reason stated above. **Fonger, Anders, Hampton, Williams and DuPlayee all voted in favor by roll call vote.** The virtual meeting was locked with only Anders in attendance, and recording was suspended. The closed session began at 1:30 P.M. Clerk Kim Banigan was also present.
- II. The Clerk reported that Richard Murphy had declined the job offer for the Treasurer's position. Discussion was to ask the electors to approve combining the Clerk and Treasurer positions, and hire Sue Kyle for two mornings per week to job-share the Deputy Clerk position with Amber Steele. The Clerk noted that she estimates the Clerk-Treasurer and Deputy Clerk wages will be well below what was budgeted in 2023 for a separate Clerk and Treasurer, but asked for the budget to remain the same to allow for office staff to work extra hours as needed under this new scenario.
- III. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to arise from closed session. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 1:41 P.M.

Kim Banigan, Clerk
Approved 1/16/2023 as an open record

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Clerk Kim Banigan, Deputy Clerk Amber Steele, Highway Superintendent Dan Dresen and Deputy Kristina Grams. Supervisor Steve Anders attended virtually.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the January 2, 2023 Town Board meeting with year corrected. **MOTION CARRIED 5-0.** **MOTION** by Fonger/Williams to approve the closed session minutes from January 3rd and January 6th 2023 with the year corrected, and make them an open record. **MOTION CARRIED 4-0-1 (Anders abstained).**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Williams to approve checks #35991-36023, and EFTs in the amount of \$28,447.50 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Fonger/DuPlayee to approve payment of \$1,323.22 to General Engineering for December building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: December police activities were reviewed under Public Concerns since it was not an agenda item. The monthly report showed 156 calls for service and 45 citations issued in December. Deputy Grams went over data from the new speed sign on Vilas Road.

II. BUSINESS

- A. Plan Commission Recommendations: Cummings and Turk Farms, LLC, applicant/owner: Petition to rezone 6.2 acres of parcel 0711-342-8690-0 at 3636 North Star Road from FP-1 to General Commercial for electrical contractor business (DCCO #11918). **MOTION** by Williams/Fonger to accept the Plan Commission's recommendation to approve of the rezone of 6.2 acres to GC, subject to the following conditions:
- The driveway will be paved to just past the crest of the hill.
 - Outdoor storage will be behind the existing building as viewed from North Star Road, and a berm with trees will be installed to screen the view of it from the north.
 - A deed restriction will be placed on the property to a) require connection to sanitary sewer and water services when and if they become available and b) include a waiver to the normal right to object to assessments for such utility services.
 - The final CSM shall include at minimum a 75' setback from the edge of the creek, unless the creek is determined not to be a navigable waterway, and appropriate resource identification designations as directed by County and Town subdivision ordinances.
- MOTION CARRIED 5-0.** Dresen mentioned that a driveway permit will be needed.
- B. Consideration of Waste Management's request to change service days to Monday and Tuesday. Tim Miller and Rich Chapas from Waste Management attended to discuss the matter. They expect the change to happen on March 6th and will be mailing information and new calendars to all residents. They hope this will help resolve issues we have been experiencing with missed pickups. **MOTION** by Williams/DuPlayee to accept the change of service date. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval of a Parade or Race Permit for Megan Ramstack, applicant for American Parkinson Disease Assoc. - Half Marathon on April 15, 2023 to include Glacial Drumlin trail crossings. It was noted that payment has not been submitted, as they have requested the fee be waived due to the charitable nature of the event. **MOTION** by Williams/DuPlayee to approve the Parade or Race Permit and waive the fee. **MOTION CARRIED 5-0.**
 - D. Discuss/Consider approval for the American Parkinson Disease Assoc. to pay the Town resident rate to rent the Town Hall for race registration on April 14th, and to utilize the Town Hall parking lot for participant parking on April 15th. **MOTION** by Williams/DuPlayee to approve the use of the Town Hall at the Town resident rate. **MOTION CARRIED 5-0.**
 - E. Consideration of amending the Employee Handbook to allow for vacation, holiday, personal and sick leave for General Part-Time employees working less than 1040 hours per year. **MOTION** by Williams/DuPlayee to approve the revisions to the Employee Handbook, and make vacation and sick leave benefits retroactive to January 1, 2022 for current General Part-Time employees who work less than 1040 hours per year. **MOTION CARRIED 5-0.**
 - F. Consideration closing the office on Fridays between Memorial Day and Labor Day on a permanent basis. **MOTION** by Williams/DuPlayee to approve. **MOTION CARRIED 5-0.**
 - G. Consideration of designating a fourth check signer. With the pending combining of the Clerk and Treasurer positions, the office is in need of another check signer. The Clerk suggested that Deputy Clerk Amber Steele take on this role, and be given access to online banking for backup in the event of the Clerk's absence. **MOTION** by Fonger/DuPlayee to approve. **MOTION CARRIED 5-0.**
 - H. Consideration of attendees for January 18th DCTA Membership meeting (via Zoom). Fonger was not interested. **MOTION** by Hampton/Anders to allow for 4 members of the board to attend. **MOTION CARRIED 5-0.**
 - I. Discuss/Consider attendees for 2023 WTA District Meetings. Hampton, Williams and DuPlayee would like to attend the February 3, 2023 session in Juneau. **MOTION** by Hampton/DuPlayee to allow 3 members to attend, and to approve a check to be issued before the next board meeting to pay for the attendees. **MOTION CARRIED 5-0.**
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- 1. Road Right-of-Way Permits Issued: None.
 - 2. Dresen reported that the crew has been doing lots of roadside trimming. Dresen stated interest in changing summer schedule for Public Works Department to 9 hours M-TH, with a half day on Friday. This will be put on the next agenda for consideration
- IV. CLERK'S OFFICE UPDATE: The new Deputy Clerk (Sue Kyle) has started and is working out very well so far. The field portion of the 2022 audit will be on February 3rd.
- V. BOARD REPORTS AND COMMUNICATIONS: It was noted the Village will be presenting a study on future building projects at a meeting on January 24th. Williams requested a closed session meeting be added to the next agenda to discuss matters relating to the Sheriff's Deputies.
- VI. COMMITTEE REPORTS:
- A. Deer Grove EMS will meet Thursday. It was reported Sarah Valencia is no longer Chair.

VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 7:50 P.M.

Kim Banigan, Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 06, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams, Steve Anders and Mike DuPlayee were present, along with Clerk Kim Banigan and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:04 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the January 16, 2023 Town Board meeting with corrections. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve checks #33924-36056 and EFTs in the amount of \$20,363.83 as presented. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/Fonger to approve payment of January per diems as presented. **MOTION CARRIED 5-0.**
 3. The Clerk stated that after talking it over with Hampton, she will be paying telephone bills online with the Town credit card to avoid late fees when statements come too late for Board approval of checks before the payment due dates.
- E. Public Concerns: Williams said she recently perused the Town's web site and found it to be full of good and timely information, including the Bookmobile schedule. She mentioned that the Dane County Library Service is having a book sale this Saturday. She also mentioned an email from the Dane County Sustainability Coordinator asking for the Town's letter of support for an EPA certified solid waste recycling branch. Consensus was to use this as a bargaining tool for the treatment of Town landowners adjacent to the new sustainability campus.

II. BUSINESS

- A. Plan Commission Recommendations:
 1. Thomas Streich, applicant and landowner, and Allen and Caryn Schmidt and Door Creek Golf Course, landowners, 4343 and 4345 Vilas Road, parcels #0711-074-8075-0, 0711-074-8205-2 and 0711-074-8180-2: seeking rezone of .22 acres from RR-4 to RE and .06 acres from RR-4 to RR-2 to shift property lines between adjacent landowners: **MOTION** by Anders/Fonger to accept the Plan Commission's recommendation to approve the rezone. **MOTION CARRIED 5-0.**
 2. Duane Swalheim, applicant and landowner, parcel #0711-273-0044-0 on North Star Road: Comprehensive Development Plan Review for a proposed commercial subdivision: Mr. Swalheim was present virtually. He said he has a potential buyer for combined lots 4 and 5. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the comprehensive development plan contingent on completion of the items required under items 2-4 of Roffers' memo and answering all of the questions that Roffers had posed. **MOTION CARRIED 5-0.**
 3. Discuss/Consider recommendation regarding proposed Dane County Ordinance Amendment 2022 OA-57 regarding application requirements and setbacks for

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communication towers: **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to approve 20202 OA-57. **MOTION CARRIED 5-0.**

- B. Discuss/Consider adoption of Resolution 2023-02-06 Appointing the Town Clerk-Treasurer: **MOTION** by Williams/DuPlayee to adopt resolution 2023-02-06 appointing Kim Banigan as Town Clerk-Treasurer through April 30, 2026. **MOTION CARRIED 5-0.**
- C. Consideration of allowing Highway Department Employees to work four 9-hour days Monday through Thursday and a four-hour day on Friday between Memorial Day and Labor Day: Dresen said Highway Department employees would work from 6:00 a.m. to 3:30 p.m. Monday-Thursday, and from 7:00 a.m. to 11:00 a.m. on Fridays. **MOTION** by Anders/DuPlayee to allow Highway Department employees to work 6:00 a.m. to 3:30 p.m. Monday-Thursday, and from 7:00 a.m. to 11:00 a.m. on Fridays between Memorial Day and Labor Day every year. **MOTION CARRIED 5-0.**
- D. Discuss/Consider plans for the future of the Annual Report and Newsletter: The Clerk reported that the WTA Attorney has advised there is no legal requirement to mail an annual report to all property owners, the only requirement is that the financial report be available at the Annual Town Meeting. She had surveyed other Town Clerks and of 25 responses, none mail annual reports to property owners. She said the effort and expense that goes into the report seems unjustified when so many comments indicate it is not read and all of the information is on the Town's web site anyway. She suggested either putting out an abbreviated version or eliminating the report this year, and focusing instead on timely announcements via the web site and social media of some of the articles usually included. **MOTION** by Fonger/DuPlayee to eliminate the Annual Report and newsletter this year and review the response next year. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- 1. Road Right-of-Way Permits Issued: Two permits have been issued since the last meeting, one to Frontier for a new home in Kennedy Hills and one to Charter for underground service on Coyt Dr.

IV. CLERK'S OFFICE UPDATE: Preparations for the February 6th Spring Primary are underway, the field portion of the 2022 audit and first installment tax collection were completed on February 3rd.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton shared an article in *In Business* magazine about the future county landfill site.

VI. COMMITTEE REPORTS:

- A. Deer Grove EMS: Village President John Williams is the new Commission Chair.
- B. Joint Town/Village Landfill Monitoring Committee: Test results continue to be zero.
- C. Cottage Grove Fire Department Committee: They got the new command vehicle, Town and Village attorneys are still working on updating the IGA, the Village had an open house about future facility needs.

VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 7:50 P.M.

Kim Banigan, Clerk
Approved 02-20-2023

TOWN OF COTTAGE GROVE

RESOLUTION 2023-02-06 A RESOLUTION APPOINTING THE TOWN CLERK-TREASURER

WHEREAS, at the Annual Town Meeting held on April 14, 2004, the electors of the Town of Cottage Grove voted to change the office of Town Clerk from an elected office to an appointed office, and

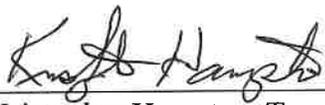
WHEREAS, at the Annual Town Meeting held on April 11, 2006, the electors of the Town of Cottage Grove voted to change the office of Town Treasurer from an elected office to an appointed office, and

WHEREAS, at a Special Meeting of the Electors held on February 6, 2023, the electors of the Town of Cottage Grove voted to combine the offices of Town Clerk and Treasurer,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin hereby appoints Kim Banigan to the office of Town Clerk-Treasurer beginning at 12:00 midnight on February 6, 2023 and expiring at 12:00 midnight on April 30, 2026.

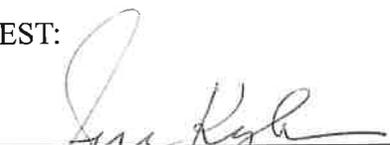
Adopted this 6th day of February, 2023 by a vote of 5 for and 0 against.

TOWN OF COTTAGE GROVE



Kristopher Hampton, Town Chair

ATTEST:



Sue Kyle, Deputy Clerk

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
FEBRUARY 20, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams, Steve Anders and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Deputy Clerk Sue Kyle, Highway Superintendent Dan Dresen, Deputy Jacob Zilli, Town Engineer Nick Bubolz and Town Planning Consultant Mark Roffers.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Special Meeting of the Electors and the Town Board meeting both held on February 6, 2023. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36057-36177, EFTs in the amount of \$16,355.67, and voided check #36037. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$5,024.25 to General Engineering for January building permits **MOTION CARRIED 5-0.**
- E. Public Concerns: Banigan introduced new Deputy Clerk Sue Kyle.

II. BUSINESS

- A. Review January Police Activities: Deputy Zilli provided a report of January calls and citations, as well as a summary report from the speed board. He asked where they should put the speed board next. Consensus was Vilas Hope Road. Deputy Zilli said they have been doing a lot of vacation checks and dealing with fraud complaints. He wondered if the Town has an ordinance regarding disorderly conduct with a motor vehicle. Thoughts were to put this on a future agenda.
- B. Discuss uses of Kennedy Hills Outlot 2, and Kennedy Hills HOA responsibility for maintaining Outlot 1: Kennedy Hills residents Todd Christenson and Tony Arts were present. Dresen quoted a price of \$143.32 per mowing for the Town to mow Outlot 1, and he thought it would probably take three mowings per year. Consensus was to have the Town Attorney draft an agreement between the Town and the HOA for the Town to mow Outlot 1. Hampton said the original plan for Outlot 2 was a walking path around prairie grass, possibly with adult exercise stations along the way. Christensen said the neighborhood would prefer a playground focused on 5- to 12-year-old children. They had identified a play structure they liked and have some other pieces salvaged from another playground. They would be willing to assist with installation of the structures and provide grass seed. Discussion led to the north-west corner as a possible site for the structure, but the neighborhood would like the entire outlot mowed by the Town. **MOTION** by Anders/DuPlayee to approve the change of use of Outlot 2 and forward the play structure request to the Parks Committee, with guidance from Dresen on groundwork requirements. **MOTION CARRIED 5-0.**
- C. Discuss/Consider Funding Potential Infrastructure Improvements Serving the Highways 12/18/N Interchange Business Park: Roffers presented his memo to the board on funding potential (Exhibit A). He, the Town Attorney, and Town Engineer had examined the potential for an assessment district to pay for the reconstruction of the Hwy N/Natvig Road intersection and concluded that it could only include parcels adjacent to the intersection. The group also evaluated the use of a TID to fund the intersection along with sewer and water service to Area

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FEBRUARY 20, 2023

A as identified in the memo. Conclusions included advice that providing water service would not add enough value to cover its expense. The memo further advised that Area A probably would not be able to fund all of the improvements. Area G was thought to have some potential but would probably require a second pumping station, which would add further cost. Areas in between are not all planned for commercial development and could require comprehensive plan changes. Discussion included questions about what kind of businesses would be attracted by sewer service only. Roffers suggested it would appeal to those who transport items, want outdoor storage or don't want to meet Village design standards. He cautioned patience, that the Town does not need to accept everything but rather should wait for what they want, and advised that commitment from more than one buyer would be needed to warrant moving forward with improvements. Dale, Wade and Brad Huston were present, along with Dennis Richardson. They still have one potential buyer who is hoping for both sewer and water. Fonger asked about grant possibilities, Bubolz said Economic Development Grants don't work for anything new, only for redevelopment or failing septic systems. Roffers mentioned MadRep. Hampton suggested having Roffers re-work his revenue estimates with sewer only in the TID, no water, intersection or road extension. Other board members were agreeable with this plan.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

1. Road Right-of-Way Permits Issued: One permit was issued since the last meeting, to Frontier for service on Hubred Lane. He ordered 300 tons of salt today.

IV. CLERK'S OFFICE UPDATE: Election preparations have taken priority.

V. BOARD REPORTS AND COMMUNICATIONS: No reports

VI. COMMITTEE REPORTS:

- A. Deer Grove EMS: They are proposing 3-year extensions of contracts with the Towns of Pleasant Springs and Deerfield, to coincide with the union contract.
- B. Emergency Government Committee: They are finished with the SOP, the Board will see it on March 6th.

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

Kim Banigan, Clerk-Treasurer
Approved 03-06-2023



To: Town of Cottage Grove Board

From: Mark Roffers, Town Planner

Date: February 16, 2023

Re: Funding Potential Infrastructure Improvements Serving the Highways 12/18/N Interchange Business Park

Town officials, staff, and consultants have recently explored potential costs and benefits of extending public utilities and constructing road improvements to facilitate high-quality commercial development in the Town's Highways 12/18/N Interchange Business Park northeast of that interchange.

The Village Engineer has estimated the following expenses in current year dollars for potential major infrastructure projects to serve this Business Park:

- 1) Public sanitary sewer service extension from the nearest MMSD interceptor to Interchange Business Park, including lift station: \$3.5 million
- 2) Public water system development: \$3.3 million (assuming agreement with nearby municipality to extend a water main) to \$5.3 million (assuming Town construction of its own system including at least one tower and one well).
- 3) Reconstruction of Highway N/Natvig Road intersection: \$0.6 million
- 4) Extension of new Natvig Road segment between that intersection and North Star Road, built to rural business park standard: \$1.2 million

Through the Commercial Development Value Analysis we shared in January, the Highways 12/18/N Interchange Business Park, also called "Area A" in that Analysis (see attached map), should conservatively generate about \$6.1 million in total tax increment over the next 20 years, if connected to sanitary sewer. If connected to both sewer *and* public water, that projection increases to \$9.0 million. Were the Town to establish a tax incremental district (TID) over Area A, the TID would capture all of this projected tax increment over the TIDs standard 20-year term. The Town may legally establish a TID if the Town connects it to sanitary sewer service.

More recently, the Town Attorney, Town Engineer, and I have examined potential for an assessment district to pay for the reconstruction of Highway N/Natvig Road intersection. The potential assessment district would include only those parcels that directly abut that

intersection. These include parcels 0711-283-8310-1, 0711-283-9501-8, and 0711-283-9800-6 west of that intersection (totaling 60.8 acres and owned by Skaar Pit LLC and Everson Properties LLC) and the 29-acre parcel 0711-284-9210-0 (Skaar Pit LLC, 3440 County Highway N) directly east of the new intersection. No other parcel east of Highway N would have access to that intersection without further road improvements—most notably the planned easterly extension of Natvig Road to North Star Road plus possible side-road connections to other parcels. While the Town could defer assessments these non-adjacent parcels, it would have to hold those assessments until such time as the Natvig Road extension to North Star Road was completed, and also be able to successfully argue that these parcels derived special benefit from the Natvig/N intersection improvement.

The above work led the following preliminary evaluation of whether a TID would be the better funding mechanism for the N/Natvig intersection, and for other possible infrastructure improvements to and for Area A:

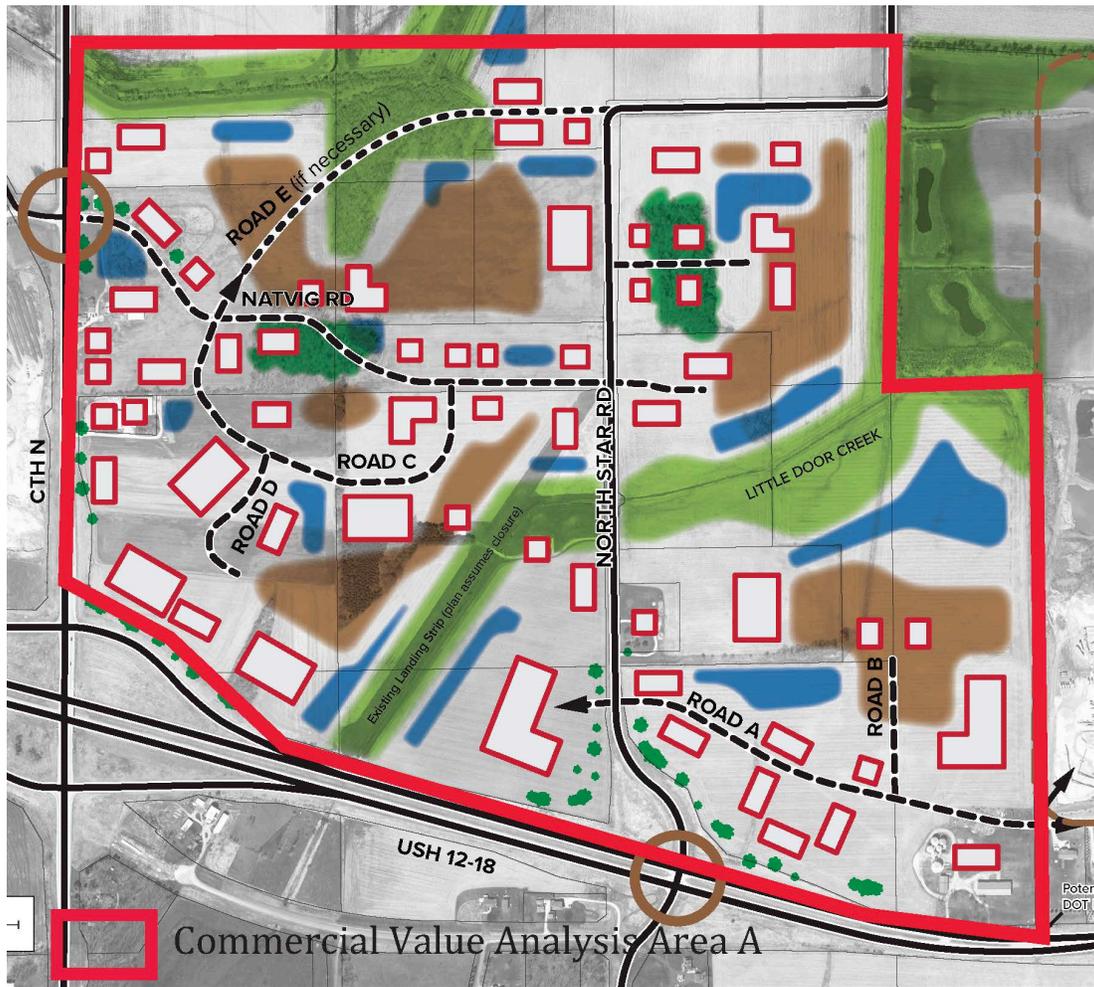
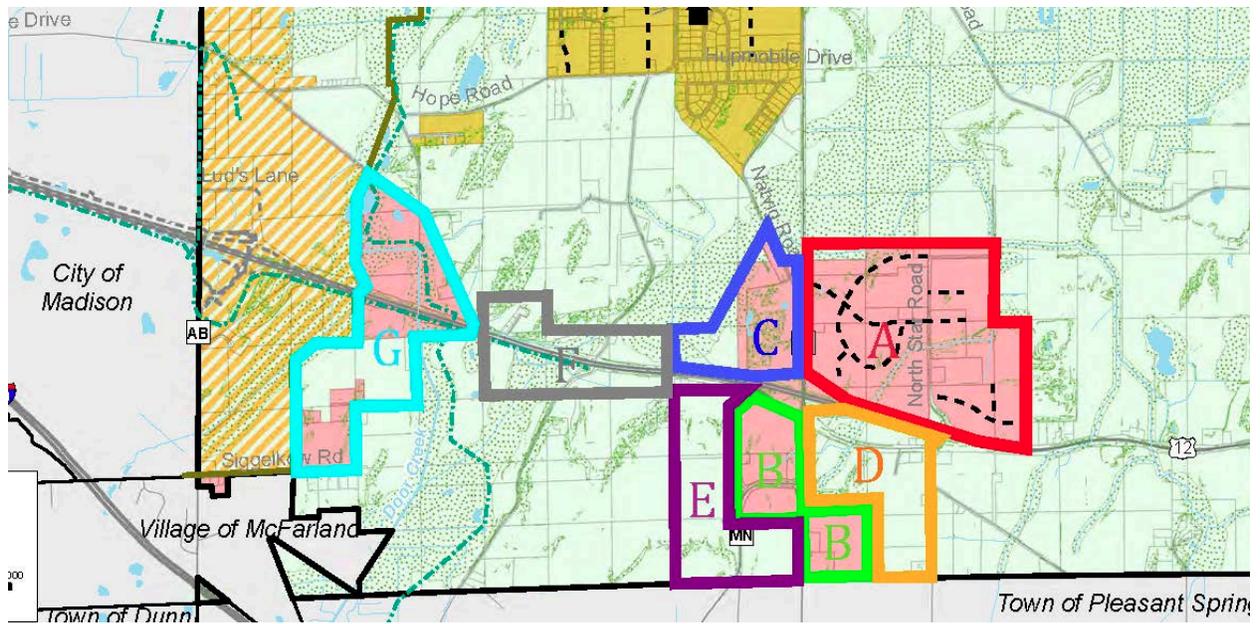
	With Sanitary Sewer Only, and TID	With Both Sewer and Water, and TID
Projected tax increment (revenue)	\$6.1	\$9.0
Potential expenses		
1) Extend sanitary sewer	\$3.5 m	\$3.5 m
2) Construct public water	Not completed	\$3.3 to \$5.3 m
3) Build N/Natvig intersection	\$0.6 m	\$0.6 m
4) Extend Natvig to North Star	\$1.2 m	\$1.2 m
5) Interest (20 year bond @ 5.5%)	\$3.6 m	\$3.6 m
6) Administration, legal, etc.	\$0.3 m	\$0.3 m
Total potential expenses 1) to 6)	\$9.2 m	\$12.5 to \$14.5 m
Net Revenue Estimate	-\$3.1 m	-\$3.5 to -5.5 m

The above calculations initially suggest that:

- Providing public water service does not add enough incremental value to cover its expense compared to a sewer-only scenario. This is even in the highly unlikely case that a nearby municipality agrees to extend its water service at Town expense. PSC approval would be required in any case, which adds expense and uncertainty. The Town Board is therefore advised to conclude its investigation of water service with a “no go” determination.

- It seems unlikely that a TID that would include only the Highways 12/18/N Interchange Business Park northeast of the interchange (Area A) would be able to fund all of potential improvements 1), 3), and 4)—particularly in this era of higher interest rates.
- A larger TID in the Highway 12/N corridor would improve the net revenue picture. In the Commercial Development Value Analysis, we projected the sum of the 20-year commercial tax increment from all Highway 12 corridor areas *outside* of Area A (i.e., Areas B-G) to be about the same as the increment *within* Area A. If the Town were able to also capture all of those areas in a larger and/or second TID, then the net revenue picture becomes positive. However, this would present some logistical challenges and may require some Comprehensive Plan changes. Not all of Areas B-G are planned for future commercial use at this time. An “in-between” scenario is also possible, for example by including Areas B and G in two separate TIDs.
- Not all of expenses 1), 3), and 4) need be assigned to a new TID, which would also improve the net revenue picture. Some of these expenses could be recuperated through property assessment, such as for the N/Natvig intersection. In addition, it would seem logical that the Town would allow private property sewer connections at owner expense between the MMSD interceptor and Area A—even if not that entire stretch were covered by a TID.

We will welcome a discussion of these initial findings and some direction at the February 20th Town Board meeting.



TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 06, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, Kristi Williams, Steve Anders and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Deputy Clerk Sue Kyle, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on February 20, 2023 as presented. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36178-36206, EFTs in the amount of \$23,562.98 and voided check #34270. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of February building permits as presented. **MOTION CARRIED 5-0.**
 - 3. The Clerk-Treasurer reported that she will be making the annual payments on all four loans on March 15th.
- E. Public Concerns: None.

II. BUSINESS

- A. Presentation by Mark Powell, Director of Business Services for the Monona Grove School District about upcoming referendum to exceed the levy limit: While Mark Powell was present, Superintendent Daniel Olson actually made the presentation. He described the decline of State funding of schools that led to referendums for operational needs in 2016 and 2020. With the expiration of the 2020 referendum coming up, the School Board is once again asking to exceed the levy limits, but this time it will be a permanent increase. Board members criticized the permanent nature of the increase, suggesting that the need should be re-evaluated periodically with changing conditions. Mr. Olson said of the 421 school districts in Wisconsin, 77 have recurring increases. There was a question about capacity, and how soon additional buildings may be needed. Mr. Olson thought the current capacity should cover needs for the next 20 years. There are currently around 3,700 students of which 500 are the result of open enrollment.
- B. Plan Commission Recommendations: David Cummings, Applicant, Cummings and Turk Farms LLC, Landowner: Application for a Condition Use Permit to allow outdoor storage on parcel 0711-342-8690-0 at 3436 North Star Road: Williams asked what would be stored outdoors. Mr. Cummings said it would be trailers, conex boxes, pipes, etc. He asked if there would be any problem if the area ended up being closer to 75' x 80' rather than 50' x 100'. Consensus was as long as the square footage didn't change, it would not be a problem. There was discussion about the berm, which Plan Commission minutes said would be on the north side of the storage area. Discussion was that it should be on the south side to block the view from the US Hwy 12&18 intersection. Mr. Cummings said making it 7 feet high could be an issue. He plans to plant it with spruce trees and blue stem prairie grass. Hampton said it should be mowed to prevent growth of box elder trees and other undesirable species. There was discussion about planting trees on the North side.

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 06, 2023

MOTION by DuPlayee/Fonger to accept the Plan Commission's recommendations to approve the CUP with the following conditions (Town Board additions are in *italics*):

- A seven-foot-high berm must be constructed *on the south* side of the outdoor storage area, planted with evergreens of sufficient size and density to provide effective screening of the outdoor stored items.
- The berm must be planted and mowed to prevent erosion and invasive species.
- *Trees to be planted on the north side of the outdoor storage wherever possible up to the bio basin.*
- The berm and plantings must be completed within 6 months of approval of the CUP.
- Hours of operation for loading and unloading of outdoor stored items to be 6 a.m. to 6 p.m., seven days per week.
- Applicant to follow his written statement of intent and operations plan as submitted with his CUP application to Dane County (Exhibit A of the 02-22-2023 Plan Commission Minutes).

MOTION CARRIED 5-0.

- C. Discuss/Consider Agreement between the Town and the Kennedy Hills Homeowners Association, Inc. for Stormwater Facility Mowing: **MOTION** by Anders/Williams to approve the agreement after updating Banigan's title to Clerk-Treasurer. **MOTION CARRIED 5-0.**
- D. Discuss/Consider location for two new speed boards: **MOTION** by Fonger/Williams to put the new, larger speed boards on Vilas Hope and Gaston Roads, and put the smaller one on Damascus Trail. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of Budget Resolution 2022-01 Amending the 2022 Town Budget: **MOTION** by DuPlayee/Williams to approve Budget Resolution 2022-01 as presented. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of the Emergency Government Standard Operation Plan: **MOTION** by Anders/Williams to approve the Standard Operation Plan as presented. **MOTION CARRIED 5-0.**
- G. Discuss/Consider approval of paying for drinking water service for the Police Station: **MOTION** by DuPlayee/Fonger to table until the results of a water test are known. **MOTION CARRIED 5-0.**
- H. Consideration of attendees for Capitol Day on March 30th: **MOTION** by Hampton/DuPlayee to allow Williams to attend Capitol Day. **MOTION CARRIED 5-0.**
- I. Consideration of attendees for Board of Review Training: **MOTION** by Anders/Fonger for all five board members to attend the virtual training session on Monday, May 1st at 6:30 P.M. The Town Board meeting scheduled for that night was rescheduled for Tuesday, May 2nd. **MOTION CARRIED 5-0.**
- J. Set date for annual road and park inspections: **MOTION** by DuPlayee/Williams to schedule road and park inspections for April 17th beginning at 10:00 AM. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 06, 2023

1. Road Right-of-Way Permits Issued: One permit was issued since the last meeting, to Charter to install new coax cable under Vilas Road.
 2. Seasonal Weight Limits were posted today.
- IV. CLERK'S OFFICE UPDATE: There were 956 voters at the Spring Primary, approximately a 30% turnout. The 2022 audit is still in progress but seems to be going well.
- V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Village of McFarland will have a public hearing for changes to their Comprehensive Plan, including the east side plan, on March 21st. DGEMS and Fire radios have arrived and are being programmed. DGEMS' new ambulance has been shut down by a recall. Brett Skaar contacted Hampton about tiling the land he rents from the Town south of the former Nativg Landfill, Hampton told him it was OK. The rest of the Board agreed. The Town Planner, Attorney, and Engineer will all be at the March 20th, along with someone from MMSD, for more discussion about bringing sewer service out to the North Star Road area. Hampton suggested that if the project is approved to move forward, the Plan Commission should look at minimum standards for commercial buildings in the area. Other Board members agreed.
- VI. COMMITTEE REPORTS:
- A. Cottage Grove Fire District Committee: A draft of the new Fire Protection Agreement was given to Board members. This will be considered by the committee at their March meeting, and likely on the Town Board's agenda for April 3rd. The committee joining the State pension plan for volunteer fire fighters and EMTs. Thoughts were this should be extended to volunteers with DGEMS as well.
- VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 8:20 P.M.

Kim Banigan, Clerk-Treasurer
Approved 03-20-2023

TOWN OF COTTAGE GROVE

4058 County Road N
Cottage Grove, WI 53527

BUDGET RESOLUTION 2022-01

A resolution amending the 2022 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 2022 Town budget:

Revenue			Expense			Explanation
40210	FEMA Aid	1,262.87	51300	Personal & Records Expense	1,262.87	SAFER Grant For UMS Print Solutions Recruitment Postcard
40210	FEMA Aid	651.45	51300	Personal & Records Expense	651.45	Grant for ESO Solutions Firehouse Software
42320	Promissory Note Proceeds	67,480.00	52550	Highway Equipment Outlay	67,480.00	Chipper
42320	Promissory Note Proceeds	(461,397.00)	52530	Fire Protection Equip Outlay	(461,397.00)	SI not available for purchase in 2022
41600	American Rescue Plan Act Funds	105,851.32	50410	Election Supplies	5,928.00	Badger Books
			50410	Election Supplies	2,251.00	Badger Books
			50720	Town Hall Equipment	398.99	Upgrade WiFi Access Point
			50720	Town Hall Equipment	1,295.00	Water Softener
			50720	Town Hall Equipment	2,250.00	Drinking Fountain
			50410	Election Supplies	2,037.32	Election4 Station Shelf Voting Booth
			51770	Contractor Expense	28,890.00	Reconstruction of Clark Street
			52000	Highway Maintenance Contracts	38,161.66	Paving Project Budget Difference
			52300	Park Expense	4,761.00	Zipline Installation
			51810	Seal Coating	22,307.60	Chipseal Vilas Road Project
			51930	Stormwater Expenses	(5,000.00)	Koshkonong Creek Project Moved To 2023
			52300	Park Expense	2,570.75	Base for Bass Park Zip Line
43050	ATC Impact Fees Applied	1,540.00	52300	Park Expense	1,540.00	Overage on base for Bass Park Zip Line
41510	Other Misc. Charges	36,703.14	51060	Police Station Maintenance	36,703.14	Pave Parking Lot
43060	Unassigned General Fund	30,292.00	51850	Equipment Repairs & Maint.	30,292.00	International Truck Repair
Total Change In Revenue		(217,616.22)	Total Change In Expense		(217,616.22)	
			Net Change		0.00	

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 6th day of March 2023.

TOWN OF COTTAGE GROVE


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk-Treasurer

Town of Cottage Grove Profit & Loss Budget vs. Actual January through December 2022

	Actual	Original	Amended	% of Budget
	Jan - Dec 22	Budget	Budget	
Ordinary Income/Expense				
Income				
Taxes				
40010 · Local Taxes	1,738,961.60	1,738,962.00	1,738,962.00	100.0%
41720 · Other Taxes-Village Annexation	11,899.35	11,899.35	11,899.35	100.0%
42290 · Use Value Penalty Tax	4,874.53	0.00	0.00	100.0%
40020 · Payment in Lieu of Taxes	2,000.00	0.00	0.00	100.0%
Total Taxes	1,757,735.48	1,750,861.35	1,750,861.35	100.39%
Intergovernmental Revenue				
40100 · Shared Revenue from State	55,852.62	55,748.43	55,748.43	100.19%
40560 · Tax Exempt Aid	356.46	356.46	356.46	100.0%
40110 · Fire Insurance Tax	18,981.24	18,478.00	18,478.00	102.72%
40300 · Local Transportation Aids	213,684.20	214,277.55	214,277.55	99.72%
40510 · PILT - State Conservation Land	560.14	225.00	225.00	248.95%
40120 · Environmental Impact Fees	232.00	232.00	232.00	100.0%
40530 · State Aid - Croplands / Forest	287.04	300.00	300.00	95.68%
40400 · State Recycling Grant	7,443.71	7,400.00	7,400.00	100.59%
40600 · Highway and Bridges				
40601 · Femrite Bridge Aid	365,771.09	441,899.13	441,899.13	82.77%
40602 · Uphoff Bridge	344,322.84	495,684.00	495,684.00	69.46%
40600 · Highway and Bridges - Other	17,534.91	17,534.91	17,534.91	100.0%
Total 40600 · Highway and Bridges	727,628.84	955,118.04	955,118.04	76.18%
40570 · Landfill Compensation Fee	58,344.50	56,788.67	56,788.67	102.74%
40610 · Other & Veterans Graves	214.00	214.00	214.00	100.0%
40210 · FEMA Aid	1,914.32	0.00	1,914.32	100.0%
40230 · Fire Dept Grants/ Donations	15,000.00	0.00	0.00	100.0%
40550 · Personal Property Aid	35,023.07	35,023.07	35,023.07	100.0%
40810 · Video Service Provider Aid	7,641.76	7,641.76	7,641.76	100.0%
41600 · ARPA Funds	110,851.32	5,000.00	110,851.32	100.0%
Total Intergovernmental Revenue	1,254,015.22	1,356,802.98	1,464,568.62	85.62%
Licenses and Permits				
40700 · Business and Occupy License	3,250.00	3,000.00	3,000.00	108.33%
40710 · Driveway Permit	1,500.00	2,000.00	2,000.00	75.0%
40760 · Dog License Revenue	1,450.50	1,500.00	1,500.00	96.7%
40730 · Building Permit / Inspection	51,004.34	50,000.00	50,000.00	102.01%
40740 · Zoning Permits & Fees	2,100.00	3,500.00	3,500.00	60.0%
42230 · Cable Franchise Fee	34,265.53	30,000.00	30,000.00	114.22%
40750 · Right-of-Way Permits	11,042.00	5,000.00	5,000.00	220.84%
40770 · Mining Permits	900.00	900.00	900.00	100.0%
Total Licenses and Permits	105,512.37	95,900.00	95,900.00	110.02%
Fines, Forfeiture and Penalties				
40800 · Law and Ordinance Violation	47,024.16	30,000.00	30,000.00	156.75%

Town of Cottage Grove
Profit & Loss Budget vs. Actual
January through December 2022

	Actual	Original	Amended	
	Jan - Dec 22	Budget	Budget	% of Budget
Total Fines, Forfeiture and Penalties	47,024.16	30,000.00	30,000.00	156.75%
Public Charges For Services				
41210 · Refuse Collection	173,269.38	173,312.00	173,312.00	99.98%
41230 · Recycling Collection	87,166.74	87,125.00	87,125.00	100.05%
41500 · Title Search	2,100.00	1,500.00	1,500.00	140.0%
41100 · Highway Maintenance Chrgs	400.00	0.00	0.00	100.0%
41120 · Street Lighting Fees	791.25	791.25	791.25	100.0%
42260 · Developer Reimbursements	4,386.05	0.00	0.00	100.0%
41510 · Other Miscellaneous Chgs	37,443.02	0.00	36,703.14	102.02%
41520 · Election Expenses Reimbursement	891.42	0.00	0.00	100.0%
Total Public Charges For Services	306,447.86	262,728.25	299,431.39	102.34%
Intergovernmental Charges				
41640 · Village Fire Payments	551,264.62	555,471.79	555,471.79	99.24%
41710 · Pleasant Springs Reimbursements	65,037.75	65,037.75	65,037.75	100.0%
41690 · Village Emergency Bldg Maint	40,250.36	38,835.00	38,835.00	103.65%
41650 · Village Landfill Payment	11,562.20	11,900.00	11,900.00	97.16%
41670 · Flynn Hall Reimbursement	4,573.34	4,333.36	4,333.36	105.54%
Total Intergovernmental Charges	672,688.27	675,577.90	675,577.90	99.57%
Investment Income				
41800 · Interest Income	33,884.53	7,000.00	7,000.00	484.07%
41810 · Int on Spec Assess/ Charges	380.21	100.00	100.00	380.21%
Total Investment Income	34,264.74	7,100.00	7,100.00	482.6%
Miscellaneous Income				
42245 · Sales Tax Discount	10.00	0.00	0.00	100.0%
41900 · Town Garage Rent	17,897.92	17,897.93	17,897.93	100.0%
41910 · Town Hall Rent	142.18	500.00	500.00	28.44%
41920 · Flynn Hall Rent	1,879.62	1,000.00	1,000.00	187.96%
41930 · Town Land Rent	840.00	800.00	800.00	105.0%
42200 · Dividends	434.71	250.00	250.00	173.88%
42210 · Insurance Refunds	2,272.00	0.00	0.00	100.0%
42240 · Sale of Recycling Material	684.52	400.00	400.00	171.13%
42250 · Other Miscellaneous Receipts	8.03	0.00	0.00	100.0%
Total Miscellaneous Income	24,168.98	20,847.93	20,847.93	115.93%
Other Financing Sources				
42010 · Sale of Highway Equip & Prop	9,400.00	3,500.00	3,500.00	268.57%
42030 · Sale of Other Equip & Prop	12,277.27	0.00	0.00	100.0%
42320 · Promissory Note Proceeds	609,915.00	1,046,573.09	652,656.09	93.45%
42340 · Liberty Cemetery Funds Revenue	800.00	800.00	800.00	100.0%
Total Other Financing Sources	632,392.27	1,050,873.09	656,956.09	96.26%
Culture Recreation				
41410 · Parks Income	7,275.00	0.00	0.00	100.0%
Total Culture Recreation	7,275.00	0.00	0.00	100.0%
Total Income	4,841,524.35	5,250,691.50	5,001,243.28	96.81%

Town of Cottage Grove
Profit & Loss Budget vs. Actual
January through December 2022

Expense	Actual	Original	Amended	% of Budget
	Jan - Dec 22	Budget	Budget	
General Government				
Town Board				
50000 · Board Salaries	15,300.04	18,000.00	18,000.00	85.0%
50010 · Board FICA Expense	1,244.40	1,377.00	1,377.00	90.37%
50020 · Association Dues & Fees	5,333.50	4,800.00	4,800.00	111.12%
50030 · Board Printing & Publication	4,327.64	4,000.00	4,000.00	108.19%
50040 · Town Board Travel Expenses	64.54	500.00	500.00	12.91%
50050 · Conventions & Seminars	300.00	300.00	300.00	100.0%
50170 · Other Board Expenses	636.04	1,000.00	1,000.00	63.6%
Total Town Board	27,206.16	29,977.00	29,977.00	90.76%
Planning Committee				
50110 · Plan Commission Per Diem	1,075.00	1,500.00	1,500.00	71.67%
50120 · Plan Commission FICA	91.79	114.75	114.75	79.99%
Total Planning Committee	1,166.79	1,614.75	1,614.75	72.26%
Town Planner				
50180 · Town Planner	11,228.31	4,900.00	4,900.00	229.15%
Total Town Planner	11,228.31	4,900.00	4,900.00	229.15%
Emergency Government				
50150 · Emergency Gov't Wages	550.00	1,550.00	1,550.00	35.48%
50160 · Emergency Gov't FICA	42.09	61.20	61.20	68.78%
50140 · Emergency Gov't Expense	1,626.47	1,000.00	1,000.00	162.65%
Total Emergency Government	2,218.56	2,611.20	2,611.20	84.96%
Clerk / Secretarial				
50480 · Clerk Hourly Wage	54,300.05	48,372.87	48,372.87	112.25%
50490 · Clerk Hourly FICA	3,649.58	3,120.69	3,120.69	116.95%
50486 · Clerk Longevity	369.75	336.00	336.00	110.05%
50485 · Clerk Retirement	3,611.60	3,144.24	3,144.24	114.86%
50440 · Clerk's Health Insurance	15,616.96	15,327.00	15,327.00	101.89%
50350 · Deputy Clerk Wage	7,095.00	6,493.50	6,493.50	109.26%
50360 · Deputy Clerk FICA	542.77	496.75	496.75	109.26%
50320 · Office Supplies	1,711.35	2,500.00	2,500.00	68.45%
50330 · Office Equipment Maintenance	987.70	1,200.00	1,200.00	82.31%
50340 · Office Equipment Purchases	1,193.33	2,300.00	2,300.00	51.88%
50345 · IT Support	2,624.93	3,000.00	3,000.00	87.5%
50370 · Other Office Expenses	214.61	300.00	300.00	71.54%
Total Clerk / Secretarial	91,917.63	86,591.05	86,591.05	106.15%
Treasurer				
50500 · Treasurer Wages	33,755.34	31,320.45	31,320.45	107.77%
50510 · Treasurer FICA	2,624.37	2,407.26	2,407.26	109.02%
50505 · Treasurer Retirement	2,229.89	2,035.83	2,035.83	109.53%
50530 · Treasurer Longevity	0.00	147.00	147.00	0.0%
50520 · Treasurer Supplies	763.13	1,000.00	1,000.00	76.31%

Town of Cottage Grove Profit & Loss Budget vs. Actual January through December 2022

	Actual	Original	Amended	
	Jan - Dec 22	Budget	Budget	% of Budget
Total Treasurer	39,372.73	36,910.54	36,910.54	106.67%
Assessor				
50540 · Assessor Costs	10,166.58	11,200.00	11,200.00	90.77%
Total Assessor	10,166.58	11,200.00	11,200.00	90.77%
Judicial				
50200 · Judicial Judge Salaries	4,200.00	4,200.00	4,200.00	100.0%
50210 · Judicial FICA	348.09	321.30	321.30	108.34%
50220 · Judicial Education & Travel Exp	700.00	1,605.00	1,605.00	43.61%
50230 · Judicial Expenses	3,206.05	5,950.00	5,950.00	53.88%
50280 · Judicial Court Clerk Salary	7,850.92	19,373.20	19,373.20	40.53%
50281 · Judicial Court Deputy Clerk Sal	543.21	1,906.00	1,906.00	28.5%
50290 · Judicial Court Clerk FICA	679.28	1,627.86	1,627.86	41.73%
Total Judicial	17,527.55	34,983.36	34,983.36	50.1%
Legal				
50250 · Town Board Legal Expenses	33,032.01	24,325.00	24,325.00	135.79%
50240 · Court Legal Expenses	30,891.58	21,185.00	21,185.00	145.82%
Total Legal	63,923.59	45,510.00	45,510.00	140.46%
Elections				
50380 · Election Workers Wages	6,264.74	6,000.00	6,000.00	104.41%
50410 · Election Supplies	15,144.50	6,000.00	16,216.32	93.39%
Total Elections	21,409.24	12,000.00	22,216.32	96.37%
Accounting				
50560 · Audit Costs	13,350.00	13,350.00	13,350.00	100.0%
50570 · Accounting Service Expense	754.33	1,000.00	1,000.00	75.43%
Total Accounting	14,104.33	14,350.00	14,350.00	98.29%
Property & Liability Insurance				
50920 · Insurance - Town	26,873.00	30,000.00	30,000.00	89.58%
Total Property & Liability Insurance	26,873.00	30,000.00	30,000.00	89.58%
Town Hall				
50700 · Town Hall Utilities	9,289.88	6,300.00	6,300.00	147.46%
50710 · Town Hall Maintenance	5,536.16	7,000.00	7,000.00	79.09%
50720 · Town Hall Equipment	3,943.99	1,000.00	4,943.99	79.77%
50730 · Town Hall Supplies	326.24	500.00	500.00	65.25%
Total Town Hall	19,096.27	14,800.00	18,743.99	101.88%
Flynn Hall				
50750 · Flynn Hall Expenses	1,227.35	3,500.00	3,500.00	35.07%
50760 · Flynn Hall Utilities	7,772.38	6,500.00	6,500.00	119.58%
Total Flynn Hall	8,999.73	10,000.00	10,000.00	90.0%
Other General Government				
50790 · 4091 CTH N Maintenance	1,758.00	0.00	0.00	100.0%
Total Other General Government	1,758.00	0.00	0.00	100.0%
Total General Government	356,968.47	335,447.90	349,608.21	102.11%

Town of Cottage Grove
Profit & Loss Budget vs. Actual
January through December 2022

	Actual	Original	Amended	
	Jan - Dec 22	Budget	Budget	% of Budget
Public Safety				
Law Enforcement				
51010 · Sheriff's Contract	362,587.94	429,219.54	429,219.54	84.48%
51020 · Facilities Lease	11,098.48	11,098.45	11,098.45	100.0%
51030 · Police Station Utilities	6,914.40	6,000.00	6,000.00	115.24%
51040 · Police Station Janitorial	4,403.00	2,000.00	2,000.00	220.15%
51060 · Police Station Maintenance	38,925.57	1,400.00	38,103.14	102.16%
51150 · Police - Supplies	0.00	500.00	500.00	0.0%
51130 · Police - Fuel	13,440.27	12,000.00	12,000.00	112.0%
51160 · Police - Communications	2,006.00	2,800.00	2,800.00	71.64%
51100 · Dane County Communications	5,259.00	8,146.00	8,146.00	64.56%
51080 · Police - Facilities Taxes	0.00	9,000.00	9,000.00	0.0%
Total Law Enforcement	444,634.66	482,163.99	518,867.13	85.69%
Emergency Building				
50770 · Emergency Bldg. Maint	104,668.74	77,670.00	77,670.00	134.76%
Total Emergency Building	104,668.74	77,670.00	77,670.00	134.76%
Fire Protection				
51200 · Town Owned Apparatus Expense	5,513.56	10,700.00	10,700.00	51.53%
51210 · Joint Owned Apparatus Expense	46,702.30	52,500.00	52,500.00	88.96%
51220 · Fire Fuel Expense	6,184.80	3,900.00	3,900.00	158.59%
51240 · Equipment Expense	59,823.41	26,385.00	26,385.00	226.73%
51250 · Telephone Expense	5,715.59	7,200.00	7,200.00	79.38%
51260 · Insurance Expense	23,154.22	23,000.00	23,000.00	100.67%
51270 · Officer and Training Pay	34,220.00	36,200.00	36,200.00	94.53%
51280 · Training & Safety Expense	3,170.50	5,500.00	5,500.00	57.65%
51300 · Personal & Records Expense	13,443.06	4,500.00	6,414.32	209.58%
51290 · Hazmat and Investigation	0.00	300.00	300.00	0.0%
51310 · Fire Preplan & Prevention	3,682.97	3,500.00	3,500.00	105.23%
51320 · Inspection Expense	106.68	300.00	300.00	35.56%
51330 · Fire Chief Expense	500.00	1,500.00	1,500.00	33.33%
51340 · Maintenance Contracts	7,674.24	18,775.00	18,775.00	40.88%
51350 · 2% Fire Dues Expense	18,478.14	0.00	0.00	100.0%
51230 · Pleasant Springs Expense	700.24	65,037.75	65,037.75	1.08%
Total Fire Protection	229,069.71	259,297.75	261,212.07	87.7%
EMS				
51400 · EMS Expense	274,699.17	269,711.07	269,711.07	101.85%
Total EMS	274,699.17	269,711.07	269,711.07	101.85%
Fire Inspection				
51590 · Fire Inspection Wages	1,875.00	2,250.00	2,250.00	83.33%
51580 · Fire Inspection FICA	169.84	172.13	172.13	98.67%
Total Fire Inspection	2,044.84	2,422.13	2,422.13	84.42%

Town of Cottage Grove Profit & Loss Budget vs. Actual January through December 2022

	Actual	Original	Amended	% of Budget
	Jan - Dec 22	Budget	Budget	
Building Inspection				
51530 · Building Inspection	44,452.94	40,000.00	40,000.00	111.13%
Total Building Inspection	44,452.94	40,000.00	40,000.00	111.13%
Total Public Safety	1,099,570.06	1,131,264.94	1,169,882.40	93.99%
Public Works				
Highway Maintenance				
51730 · Patrolman Wages	170,878.72	196,524.30	196,524.30	86.95%
51740 · Patrolman FICA	12,542.64	14,054.70	14,054.70	89.24%
51710 · Longevity Pay	333.00	333.00	333.00	100.0%
51700 · Patrolman Health Insurance	57,191.46	56,592.00	56,592.00	101.06%
51750 · Patrolman Retirement	11,534.75	12,774.08	12,774.08	90.3%
51950 · Patrolman Continuing Education	0.00	350.00	350.00	0.0%
51760 · Gravel Expense	8,419.55	10,000.00	10,000.00	84.2%
51770 · Contractor Expense	41,005.10	6,000.00	34,890.00	117.53%
51780 · Sand and Salt Expense	25,492.37	35,000.00	35,000.00	72.84%
51790 · Patch & Cold Mix	8,298.30	12,000.00	12,000.00	69.15%
51800 · Crack Filler Expense	30,000.00	30,000.00	30,000.00	100.0%
51810 · Seal Coating	98,782.60	80,000.00	102,307.60	96.56%
51820 · Road Signs	4,934.60	5,000.00	5,000.00	98.69%
51830 · Bridge Expense				
51831 · Femrite Bridge Expense	481,052.11	556,745.91	556,745.91	86.4%
51832 · Uphoff Bridge Expense	432,381.55	619,605.00	619,605.00	69.78%
51830 · Bridge Expense - Other	455.00	6,600.00	6,600.00	6.89%
Total 51830 · Bridge Expense	913,888.66	1,182,950.91	1,182,950.91	77.26%
51840 · Tire Purchases & Expense	2,952.38	6,000.00	6,000.00	49.21%
51850 · Equipment Repairs & Maint	42,200.59	20,000.00	50,292.00	83.91%
51860 · Garage Utilities	7,220.71	6,000.00	6,000.00	120.35%
51870 · Garage Maintenance & Repairs	4,725.03	7,000.00	7,000.00	67.5%
51880 · Garage Equip. & Supplies	6,339.67	8,000.00	8,000.00	79.25%
51890 · Fuel & Oil	31,250.55	27,000.00	27,000.00	115.74%
51900 · Drug & Alcohol Testing	150.00	500.00	500.00	30.0%
51910 · Culvert Expense	14,991.15	10,000.00	10,000.00	149.91%
51920 · Center Stripping	1,519.73	3,000.00	3,000.00	50.66%
51980 · GIS Mapping ArcGIS	1,099.49	1,500.00	1,500.00	73.3%
51930 · Stormwater Expense	2,834.86	7,835.00	2,835.00	100.0%
52020 · Street Lighting Cost	1,732.45	2,000.00	2,000.00	86.62%
Total Highway Maintenance	1,500,318.36	1,740,413.99	1,816,903.59	82.58%
Highway Construction				
52000 · Highway Maintenance Contracts	388,161.66	350,000.00	388,161.66	100.0%
Total Highway Construction	388,161.66	350,000.00	388,161.66	100.0%

Town of Cottage Grove
Profit & Loss Budget vs. Actual
January through December 2022

	Actual	Original	Amended	% of Budget
	Jan - Dec 22	Budget	Budget	
Non-Hwy Maintenance				
51940 · Non-Hwy Wages	23,013.41	19,362.00	19,362.00	118.86%
51970 · Non-Hwy FICA	1,760.52	1,481.19	1,481.19	118.86%
51960 · Non-Hwy Retirement	1,495.88	1,258.53	1,258.53	118.86%
Total Non-Hwy Maintenance	26,269.81	22,101.72	22,101.72	118.86%
Garbage and Refuse Collection				
52100 · Refuse Collection - Curbside	179,317.91	173,312.00	173,312.00	103.47%
Total Garbage and Refuse Collection	179,317.91	173,312.00	173,312.00	103.47%
Recycling				
52110 · Recycling	95,191.62	87,125.00	87,125.00	109.26%
Total Recycling	95,191.62	87,125.00	87,125.00	109.26%
Solid Waste Disposal				
52111 · Compost Collection	289.99	1,000.00	1,000.00	29.0%
Total Solid Waste Disposal	289.99	1,000.00	1,000.00	29.0%
Landfill				
52140 · Landfill Monitoring - Town	15,159.47	15,100.00	15,100.00	100.39%
52120 · Landfill Monitoring - Village	11,562.20	11,900.00	11,900.00	97.16%
Total Landfill	26,721.67	27,000.00	27,000.00	98.97%
Total Public Works	2,216,271.02	2,400,952.71	2,515,603.97	88.1%
Culture, Education, Recreation				
52300 · Park Expense	40,128.89	25,000.00	33,871.75	118.47%
Total Culture, Education, Recreation	40,128.89	25,000.00	33,871.75	118.47%
Health and Human Services				
52220 · Colonial Club Donation	7,000.00	7,000.00	7,000.00	100.0%
52210 · Veterans Graves Paid	214.00	214.00	214.00	100.0%
Total Health and Human Services	7,214.00	7,214.00	7,214.00	100.0%
Conservation and Development				
52160 · Yahara Wins Pilot Project	3,135.00	3,135.00	3,135.00	100.0%
52400 · Economic Development	0.00	1,000.00	1,000.00	0.0%
Total Conservation and Development	3,135.00	4,135.00	4,135.00	75.82%
Capital Outlay				
52530 · Fire Protection Equip. Outlay	695,133.00	1,156,331.00	694,934.00	100.03%
52550 · Highway Equipment Outlay	92,471.00	25,000.00	92,480.00	99.99%
Total Capital Outlay	787,604.00	1,181,331.00	787,414.00	100.02%
Debt Service				
Debt Repayment				
52720 · Debt Service - Interest	19,931.56	21,828.91	21,828.91	91.31%
52700 · Debt Service - Principal	433,343.52	433,380.55	433,380.55	99.99%
Total Debt Repayment	453,275.08	455,209.46	455,209.46	99.58%
Capital Lease				
52750 · Capital Lease - Principal	996.93	996.93	996.93	100.0%
52760 · Capital Lease - Interest	347.07	347.07	347.07	100.0%
Total Capital Lease	1,344.00	1,344.00	1,344.00	100.0%

Town of Cottage Grove
Profit & Loss Budget vs. Actual
 January through December 2022

	Actual	Original	Amended	
	Jan - Dec 22	Budget	Budget	% of Budget
Total Debt Service	454,619.08	456,553.46	456,553.46	99.58%
Total Expense	4,965,510.52	5,541,899.01	5,324,282.79	93.26%
Net Ordinary Income	-123,986.17	-291,207.51	-323,039.51	38.38%
Other Income/Expense				
Other Income				
Surplus Funds Applied				
43035 · Fire Dues Funds	18,478.14	18,478.14	18,478.14	100.0%
43040 · Pleasant Springs Fire Funds	13,326.42	3,100.00	3,100.00	429.89%
43050 · ATC Impact Fees Applied	1,540.00	0.00	1,540.00	100.0%
43060 · Unassigned General Fund	30,292.00	269,629.37	299,921.37	10.1%
43070 · ESB Property Repair Funds	24,168.07	0.00	0.00	100.0%
43080 · Future Park Expense Funds Appli	10,952.67	0.00	0.00	100.0%
Total Surplus Funds Applied	98,757.30	291,207.51	323,039.51	30.57%
Liberty Cemetery Fund Revenue				
41960 · Liberty Cemetery Funds Interest	6.17	100.00	100.00	6.17%
Total Liberty Cemetery Fund Revenue	6.17	100.00	100.00	6.17%
Total Other Income	98,763.47	291,307.51	323,139.51	30.56%
Other Expense				
Liberty Cemetery Fund Expense				
52200 · Cemetery Expense	800.00	800.00	800.00	100.0%
Total Liberty Cemetery Fund Expense	800.00	800.00	800.00	100.0%
Total Other Expense	800.00	800.00	800.00	100.0%
Net Other Income	97,963.47	290,507.51	322,339.51	30.39%
Net Income	-26,022.70	-700.00	-700.00	3,717.53%

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 20, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall 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-Treasurer Kim Banigan, Deputy Clerk Sue Kyle, Highway Superintendent Dan Dresen, Town Attorney William Cole, Town Engineer Nick Bubolz, Town Planner Mark Roffers, and Deputy Kristina Grams.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on March 6, 2023 with a correction to the motion in item II. H. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36207-36247, EFTs in the amount of \$484,361.80 and voided check #36132. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,896.40 to General Engineering for February building permits. **MOTION CARRIED 5-0.**
 - 3. March per diem reports are due by March 31st.
- E. Public Concerns: None.

II. BUSINESS

- A. Review February Police Activities: The report showed 296 calls for service and 57 citations issued in February. Deputy Grams said most of the calls were property checks as a lot of people are on vacation. The next highest category of calls was traffic stops. The two new speed boards are up; one on Gaston Road and one on Vilas Hope Road. Speed reports had been transmitted to the Town Board electronically. The smaller sign is on Damascus Trail and no report was available yet.
- B. Discuss/Consider approval of a Parade or Race permit for Cynthia Kelm-Nelson, applicant and race director for Hot2Trot Cottage Grove Run on June 17, 2023 to include Clark Street and its intersection with Vilas Road, and crossings of the Glacial Drumlin trail: Ms. Kelm-Nelson was present and said that a couple hundred participants have already signed up, and they are always looking for volunteers to help on race day. Banigan said a contract with Deer-Grove EMS is in effect, and that a fee and deposit waiver was requested due to the charitable nature of the event. **MOTION** by Williams/Fonger to approve the permit and waive the fee and deposit. **MOTION CARRIED 5-0.**
- C. Discuss/Consider purchase of playground equipment for Kennedy Hills Outlot 2: Jared Boucher, 2208 Wooded Ridge Trail, represented the Kennedy Hills residents asking for the equipment. They had emailed their selection of model number SY-3096 with the "Freedom" color scheme and a gray canopy. The early bird sale price for this piece is \$34,255. The Parks Committee had approved up to \$34,000, using the full balance of the park fees collected from the Kennedy Hills lots (\$21,047.33) with the balance coming out of the 2023 Parks budget, which includes \$40,000 of ARPA funds for park equipment purchases. Kennedy Hills residents will install the new equipment, and would also like to put up three play structures they salvaged from another park. Cost of wood chips for the base depends on how large of an area is needed for all of the equipment. **MOTION** by DuPlayee/Williams to approve the purchase of playground structure SY-3096 for \$34,255 using Kennedy Hills Park fees and the

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 20, 2023

2023 parks budget as recommended by the Parks Committee. Dresen should inspect the three salvaged pieces, the Town crew will prepare the area, and the Homeowners Association will install the equipment. **MOTION CARRIED 5-0.**

- D. Consideration of the City of Madison putting a sewer line under Luds Lane: Hampton reported that City Planner Brian Grady called him stating there are plans to annex the remainder of the County owned property along CTH AB into the City of Madison, and put sewer lines under Luds Lane. Consensus was that the Town can't say no to sewer lines under a public road, but can ask that Town properties be allowed to connect to them without annexing.
- E. Consideration of agenda items for Annual Town Meeting on April 18, 2023: Agenda to include the usual presentation by the auditors of the annual financial statements, an update from the Dane County Sheriff's Office, and an update on the speed boards.
- F. Consideration of Funding Potential Infrastructure Improvements Serving the Highways 12/18/N Interchange Business Park: Town Planner Mark Roffers presented his updated analysis (Exhibit A), concluding that based on the information he had, he could not recommend moving forward with sewer service at this time. Scenario 1 from his analysis would likely not appeal to landowners and could negatively affect development potential, and Scenario 2 would not be cost effective under a 20-year TID. Atty. Cole suggested that rolling TIDs can be utilized to extend the payoff period. Hampton asked about putting higher standards on building requirements to increase incremental value. Roffers said he had already factored in the higher value buildings likely to result from having sewer service available. Discussion revealed that a potential buyer would be putting up a building valued at \$40 million. Roffers and Atty. Cole agreed that this could change the analysis, and Atty. Cole suggested a letter of intent between the Town and the developer may be in order, for the developer to agree to bargain in good faith with the potential buyer in exchange for the Town continuing to look into the sewer project. Fonger wanted to get property owners involved, but discussion was that before that happens, a better idea of costs should be determined. Atty. Cole suggested bringing in Ehlers to provide financial analysis. Dale Huston said they would pay for it. **MOTION** by DuPlayee/Williams to approve spending up to \$5,000 for Ehlers to provide financial analysis and feasibility information for the potential sewer project, asking the Hustons to pay for it and directing Atty. Cole to draft a letter of intent. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- 1. Road Right-of-Way Permits Issued: Two permits were issued to Alliant Energy since the last meeting, one on Jahnke Road and one on Lotus Ln.
- 2. A vehicle hit a guardrail on Hope Road, the damage will be submitted to insurance and Dresen is getting a quote to repair it.
- 3. Dresen is considering taking Spring weight limits off soon, although he may leave Uphoff Road posted longer.

IV. CLERK-TREASURER OFFICE UPDATE: The Assessor has proposed May 9th from Board of Review. Everyone confirmed they would be available. Absentee ballots are available by mail for the Spring election, and early voting in the Clerk's office starts tomorrow.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton expects that the Fire Department Committee will forward the new Fire District agreement to the Boards for approval at their next

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
MARCH 20, 2023

meeting. The committee wondered if the Town's striping equipment can be used to mark the parking spaces at the Emergency Services Building. Dresen said they can do that.

VI. COMMITTEE REPORTS:

- A. Parks Committee: They made their recommendation for item II. C. above, and confirmed Dresen's plans for park improvements this year.
- B. Deer-Grove EMS Commission: At the Commission meeting last week, a letter was received praising the services provided by Deer-Grove EMS and stating it is a bad idea for the Village to leave the district. A request to provide services to the Village of Lake Mills was denied. An interim fix has been found to allow the new ambulance to go into service soon.

VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 8:34 P.M.

Kim Banigan, Clerk-Treasurer
Approved 04-03-2023



To: Town of Cottage Grove Board

From: Mark Roffers, Town Planner

Date: March 16, 2023

Re: UPDATED ANALYSIS, Funding Potential Infrastructure Improvements Serving the Highways 12/18/N Interchange Business Park

Town officials, staff, and consultants have been exploring potential costs and benefits of extending public utilities and constructing road improvements to facilitate commercial development in the planned Highways 12/18/N Interchange Business Park northeast of that interchange, and possibly beyond.

At the Town Board's February 20th meeting, we discussed the analysis contained in my February 20th memo. Generally speaking, that memo compared the costs of bringing sewer and water service to the interchange area, improving the N/Natvig intersection, and extending Natvig east to North Star with the expected 20-year tax increment revenue from projected commercial development in that planned Business Park. To my understanding, these were the Board's directions from that meeting:

- Cease exploring public water service, given its expense-to-benefit calculation, and the likely challenges in getting intermunicipal cooperation and/or PSC approval for water.
- Also remove from the equation the projected costs associated with improving the Natvig/N intersection, and for extending Natvig east to North Star.
- Explore the potential to obtain county, state, or federal grants to help fund these road improvements and/or the extension of sanitary sewer service.
- Expand the analysis area to include all lands that might be served by a sewage lift station in the interchange area—not just the planned Business Park to the northeast.

Related to this final point, the Town Engineer reminded us at the meeting that the estimated \$3.5 million sewer extension cost was to bring sewer to the interchange area, including a lift station that might be located near the Koskonong Creek/N bridge. That \$3.5 million did not include extending sewer mains from that lift station to planned business sites. Having a sewer main at their "front door" would be a likely property owner or business owner expectation.

The attached the Conceptual Lift Station Service Basins & Sewer Mains outlines, in blue, a generalized gravity flow sewer basin for the conceptual lift station. The map also shows

conceptual interceptor sewer mains extend from the lift station to different parts of this service basin. These parts generally coincide with Commercial Development Value Analysis Areas A through E, from the other maps at the end of this memo and our January analysis. Through that analysis, the Highways 12/18/N Interchange Business Park, also called “Area A” in that Analysis, should conservatively generate about \$6.1 million in total tax increment over the next 20 years, if connected to sanitary sewer. Area B was projected to generate an additional \$1.0 million, but we did not project further tax increment in Areas C-E over the next 20 years. The market is not unlimited over that period.

We have looked a little further into potential grants as a revenue source for the sewer extension and possibly other infrastructure. In general, the grant outlook is not too promising. Possible sources include the Dane County CDBG or federal Economic Development Agency programs. The former is a limited pot with significant local competition, and the latter may require a clear connection to a larger regional initiative to grow the economic base.

Below, I summarize two scenarios. In Scenario 1, borrowing through a new tax incremental district would be the mechanism to get sanitary sewer to the interchange area and to build a lift station, but not to extend sewer around the interchange area once it reaches the lift station. In other words, there would need to be some other funding for distributive sewer lines *around* the interchange area. The Scenario 1 analysis suggests that this could work financially, if some grant dollars could be obtained and there was another funding source for distributive sewer, such as property assessments. This would likely not be popular among landowners and may negatively affect development potential.

In Scenario 2, borrowing through a new tax increment district (TID) would be the mechanism to get sewer to and around interchange area. In sum, once interest expense is factored in, our projected 20-year tax increment around the interchange area would not appear to be sufficient to fund all of the sewer lines. Our projections suggest quite a bit of undeveloped land in the northwest, southwest, and southeast quadrants of the interchange that would be expected to have new commercial development after 20 years, but that would not likely come in the standard TID period. In other words, an initiative to extend sewer to the interchange area may very well be a good investment 30, 40, 50 years down the line. The challenge is that to fund it fully through a TID would require a 20-year payback period, and the math does not seem to work within 20 years.

Finally, it should be noted that the Madison Metropolitan Sewerage District requires a sewer connection charge, which for this basin for 2023 is \$180.63 per 1,000 sq. ft. of land area. So, as an example, the sewer connection charge on a 2-acre lot would \$15,736. These charges due prior to installation of the sanitary sewers that will provide service to a lot. This MMSD connection charge is not factored into this analysis.

Scenario 1: Extend sanitary sewer to the 12/18/N interchange area

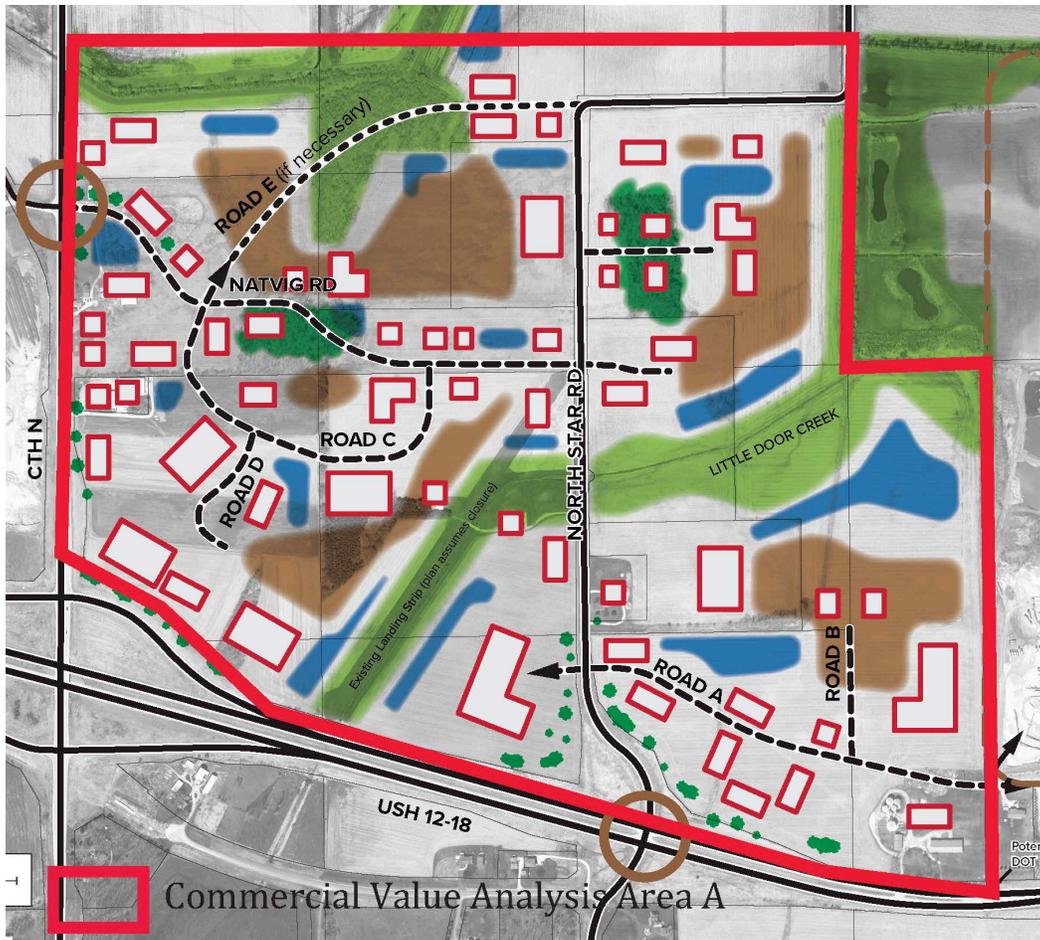
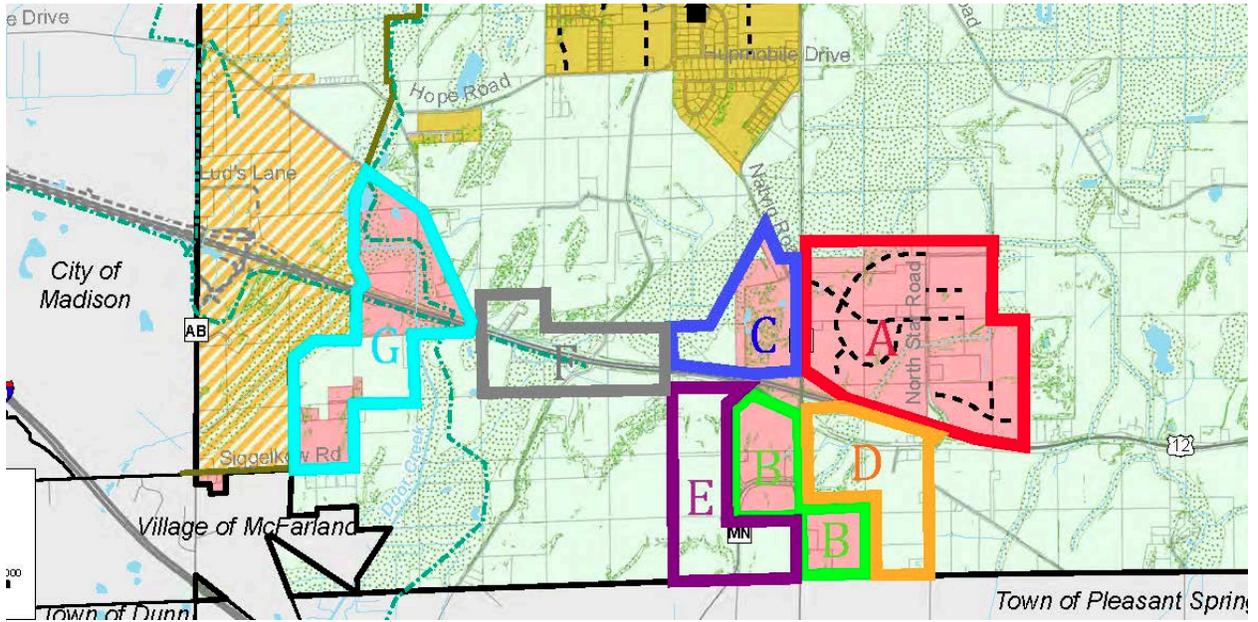
	Subtotals (millions \$)	Totals (millions \$)
Potential 20-year revenues		\$6.5
1) 20-year tax increment from Area A	\$6.1	
2) Assumption on grants, assessments, etc.	\$0.4	
Potential 20-year expenses		\$6.2
1) Extend sanitary sewer from MMSD to interchange areas, including lift station	\$3.5	
2) Interest on expense 1 – 20 year bond @ 5.5%	\$2.4	
3) Administration, legal, etc.	\$0.3	
Net Revenue Estimate		+0.3

Scenario 2: Extend sanitary sewer to and around the 12/18/N interchange area

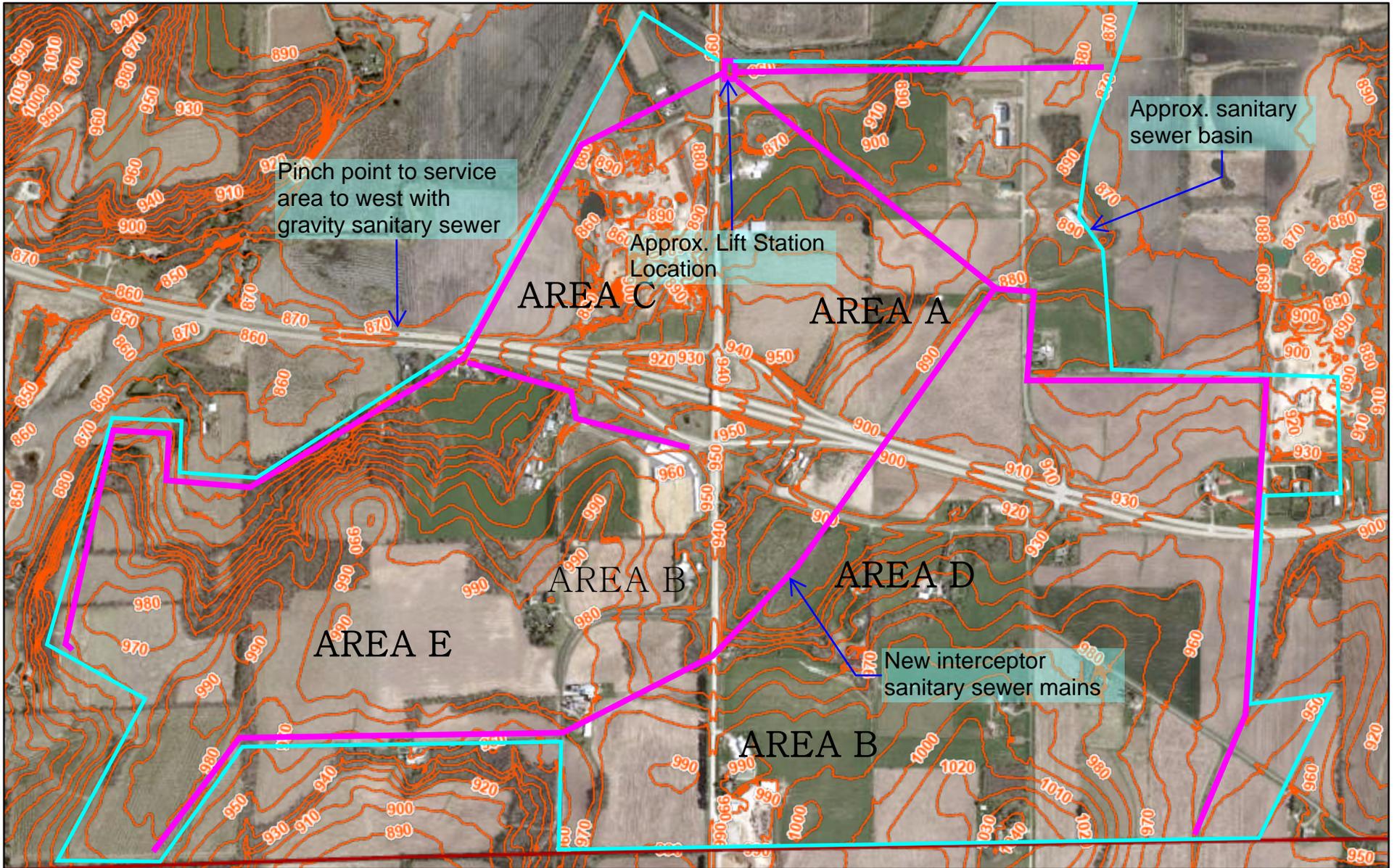
	Subtotals (millions \$)	Totals (millions \$)
Potential 20-year revenues		\$7.6
1) 20-year tax increment from Area A	\$6.1	
2) 20-year tax increment from Area B	\$1.0	
3) Assumption on grants, assessments, etc.	\$0.5	
Potential 20-year expenses		\$10.8
1) Extend sanitary sewer from MMSD to interchange areas, including lift station	\$3.5	
2) Extend sewer mains from lift station to serve Area A development sites	\$2.1	
3) Extend sewer to sites in Area B	\$0.7	
4) Interest on expenses 1) - 3) – 20 year bond @ 5.5%	\$4.2	
5) Administration, legal, etc.	\$0.3	
Net Revenue Estimate		-3.2

We will welcome a discussion of these revised findings and further direction at the March 20th Town Board meeting.

January 2023 Commercial Development Value Analysis Areas

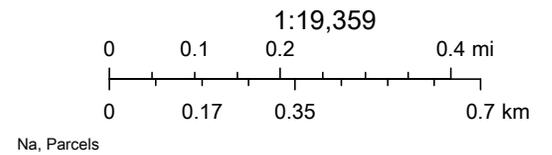


Conceptual Lift Station Service Basin & Sewer Mains



3/2/2023, 9:15:42 AM

Municipalities 10 foot Intervals — Index Depression
 Town — Index



TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
April 4, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall 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-Treasurer Kim Banigan, Deputy Clerk Sue Kyle, and Highway Superintendent Dan Dresen.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on March 20, 2023 as presented. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
1. **MOTION** by DuPlayee/Anders to approve checks #36248-36270, EFTs in the amount of \$23,758.80 and voided check #36219. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment March per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: Eugene Wagner said he is still waiting for the Town to take action to turn back the right-of-way at the intersection of Uphoff and Nora Road to him, as he requested at earlier meetings. The Clerk-Treasurer brought up a map and there was discussion about what exactly he is hoping for. He will bring a copy of the survey he received when he purchased the property to the Town office tomorrow. This will be on the April 17th Town Board agenda for action.

II. BUSINESS

- A. Plan Commission Recommendations: Joseph Gallagher, petitioner, Francis Wisniewski – Warm Belly Farm, Owner, parcel #0711-073-8090-2 at 4311 Vilas Hope Road: seeking Conditional Use Permit for Agricultural Entertainment, 10 days/year or more, sale of agricultural products not produced on the premise, and incidental sale of non-alcoholic beverages and snacks. (DCPCUP-2023-02592: Devin Engle and Francis Wisniewski were present. Hampton read the Plan Commission motion conditions, and the board reviewed the 8 standards for Conditional Use Permits, finding them all satisfied. **MOTION** by Williams/Anders to accept the Plan Commission's recommendation to approve the Conditional Use permit with the following conditions:
- No parking on either side of Vilas Hope Road. The Town Highway Superintendent will figure out the distance, and the petitioner will pay for the signage.
 - The stormwater plan must be approved by Dane County.
 - The Highway Superintendent should weigh in on the size of the culvert and the design of the driveway where it meets Vilas Hope Road.
 - No Parking signs shall be posted on the traffic lane on the north side of the building.
 - Any substantial change to lighting plans would be an amendment to the CUP.
- MOTION CARRIED 5-0.**
- B. Consideration of Certified Survey Map for 3436 North Star Rd (DCPREZ-2023-11918), Cummings & Turk Farms property owner: Mr. Cummings was present. **MOTION** by Anders/DuPlayee to approve the CSM, identified as Dwg. No. 5975-22 dated 03-16-2023. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE

TOWN BOARD MEETING

April 4, 2023

- C. Consideration of Certified Survey Map for 4545/4343 Vilas Road (DCPREZ-2023-11926), Thomas Streich/Allen Schmidt property owners: **MOTION** by DuPlayee/Fonger to approve the CSM identified as Dwg. No. 6021-22 dated 03-06-2023 conditional on the Vilas Road right-of-way being dedicated to the public. **MOTION CARRIED 5-0.**
- D. Review application from Lycon, Inc. for a Non-Mining license for new ownership of the site at 2294 US Hwy 12 & 18, and set date for a public hearing: G. R Lyons III and Atty. Buck Sweeny were present. Lycon, Inc. has taken over the non-metallic mining operations for both the non-conforming and CUP areas of the site. Town code requires a public hearing for all new non-metallic mining permits, with 15-day notice provided to all owners of property within .5 mile of the mining site. G. R Lyons III asked if there were objections to processing of already mined material prior to a permit being issued. There were no objections. **MOTION** by Fonger/DuPlayee to schedule the public hearing for Tuesday, May 2nd. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of the Fire Protection Agreement for the Cottage Grove Fire District: The Fire Department Committee approved and forwarded the agreement to the boards at their March meeting. **MOTION** by DuPlayee/Williams to approve the Fire Protection Agreement for the Cottage Grove Fire District as drafted. **MOTION CARRIED 5-0.** Hampton noted that the effective date will be May 1st.
- F. Consideration of attendees for WTA Conference on PFAS on May 2, 2023: Williams and DuPlayee would like to attend. **MOTION** by Anders/Fonger to allow up to 3 board members to go. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- 1. Road Right-of-Way Permits Issued: One permit has been issued since the last meeting, to WP&L to install underground power on Vilas, Coffeytown and S. Coffeytown roads.
- 2. Dresen reported that he plans to remove seasonal weight limits tomorrow, and that after some difficulties with snow removal this past weekend due to an inaccurate weather forecast and Spring Break, he will develop a backup plan for snow removal, including a annual agreement with backup drivers.

IV. CLERK-TREASURER OFFICE UPDATE: The Spring Election is tomorrow. She is still waiting for a draft of the 2022 financial statements from the Auditors. She will be out of town the week of April 17th the two Deputy Clerks will cover her duties at the meetings that week.

V. BOARD REPORTS AND COMMUNICATIONS: Williams reported on the Cottage Grove Chamber meeting and Capitol Day that she recently attended. Fonger questioned Hampton's comments to the Plan Commission at the end of their March meeting regarding potential sewer service.

VI. COMMITTEE REPORTS:

- A. Joint Town/Village Landfill Monitoring Committee: Approved bills, business as usual.
- B. Cottage Grove Fire District Committee: They approved the new agreement and forwarded it to the board, discussed terms for renewal of the contract with the Town of Pleasant Springs, approved a new air compressor and air dryer for the station.

VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 8:16 P.M.

Kim Banigan, Clerk-Treasurer

Approved on 04/17/2023

TOWN OF COTTAGE GROVE
ROAD AND PARK INSPECTION MINUTES
APRIL 17, 2023

- I. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, Highway Superintendent Dan Dresen.
 - II. Hampton called the meeting to order at 10:00 A.M. and the group toured to inspect Town Roads and Parks until 11:45 A.M.
 - III. Roads inspected included
 - A. Hotmix Overlay Roads
Vilas Hope, Janke, Kennedy, Whiting, Ridge, Nora and Town Garage Parking Lot (upper area)
 - B. Chip Seal roads
Vilas Rd curve, Bass Rd, S. Hope Rd, Wittewood Ln, Sigglekow Rd, Hope Hollow Rd, Coyt Rd, and Town Hall Parking lot (all)
 - IV. 2023 Roads to be Crack filled (\$30,000 Budget)
 - A. Bass Rd – from Vilas Td to Crestview Dr.
 - B. Vilas Rd – curve by Bass Rd to Sime Rd
 - C. S. Hope – A few areas near Wittewood Ln
 - D. Sigglekow Rd – Start at second curve go towards third curve west
 - E. Hope Hollow Rd – Complete dead end if possible
 - F. Coyt Rd – Complete dead end if possible
 - G. Continue on vilas or sigglekow depending on budget
 - IV. Move to adjourn by M. DuPlayee, 2nd by K. Williams at 11:45 A.M.
- Submitted by Kris Hampton, typed by Deputy Clerk Sue Kyle.

Approved on 4-27-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MEETING
April 17, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall 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 Deputy Clerks Amber Steele and Sue Kyle, Highway Superintendent Dan Dresen, and Nick Bubolz from Town and Country Engineers.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Town Board meeting held on April 3rd, 2023 and of the Annual Road Inspection conducted earlier today as presented. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36271-36298, EFTs in the amount of \$15,942.25 and voided check #36259. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Fonger to approve payment of \$3,774.00 to General Engineering Company for March building permits as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS

- A. Introductions to DCSO Captain Kerry Porter. Captain Kerry Porter introduced himself. He expressed interest in doing contract work and offered his services on behalf of the Sheriff's office. He discussed the new vehicle being ordered.
- B. Review March Police Activities. Deputy Jacob Zilli reported that March has been a very busy month for court. Construction on Hwy 12 & 18 is causing some issues. Highest recorded speed out there was 85 MPH for the month. The speed board on Damascus Trl will be moved to Sandpiper Trl next, with no date set for doing so. Graphics for the new police vehicle were discussed with mockups shown to the Board. Black and Gold were the colors chosen, with modifications to the designs shown requested. Hampton reported that the water at the Police Station has tested safe for the employees to consume.
- C. Discuss Services provided by Waste Management. Rich Chapas and Tim Miller from WM were present to discuss ongoing issues. They reported the first couple months of the new schedule were bumpy as expected. They have a new route manager and will be bringing back a couple more experienced drivers. They asked that residents put cans out the night before pickup. Issues that are being addressed at specific residences were reviewed. The website is being updated as well.
- D. Discuss/Consider request by Eugene Wagner to abandon road right-of-way along his property at the intersection of Uphoff and Nora Roads. Anders asked what the plans are for the piece of property, Wagner stated he had none. Underground cables in the land were discussed with Wagner stating he was told they are obsolete, while Anders disagreed. Through email, Attorney Bill Cole advised the Town not to vacate the land. Straightening the road in the future was brought up as a concern. DuPlayee suggested Wagner get a CSM to put the matter to rest. **MOTION** by Anders/DuPlayee for the Town to retain the ROW. **MOTION CARRIED 4-1** (Fonger opposed). Wagner asked for a copy of the information the decision was based upon, this was given to him.

TOWN OF COTTAGE GROVE

TOWN BOARD MEETING

April 17, 2023

- E. Discuss/Consider approval of Agreement with Viney's Addition to Skyhigh Homeowners Association for Stormwater Facility Mowing. **MOTION** by Williams/DuPlayee to approve. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Road Right-of-Way Permits Issued: One permit has been issued since the last meeting, to Alliant Energy to bury power lines on Strawberry Rd.
- B. Dresen reported that the annual road inspection was done. Steps for Nondahl Heights playground were in and will be installed soon. The salt and sand bunkers were full.
- C. Hampton asked Bubolz if there were any grant opportunities for roads. Bubolz said they applied last year for STP Local and that would be a yearly application. Bridge Aid for the culvert on Vilas has also been applied for but have not heard back yet.

IV. CLERK-TREASURER OFFICE UPDATE: None.

V. BOARD REPORTS AND COMMUNICATIONS: None.

VI. COMMITTEE REPORTS: none.

- VII. 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: **MOTION** by DuPlayee/Williams to move to closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.**

- VIII. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session. **MOTION** by DuPlayee/Anders to reconvene in open session. **MOTION CARRIED 5-0 by roll call vote.**

- IX. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 7:59 P.M.

Amber Steele, Deputy Clerk

Approved on 5/02/2023

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MAY 2, 2023

PUBLIC HEARING FOR NON-METALLIC MINING PERMIT FOR 2294 US HIGHWAY 12 & 18
UNDER NEW OWNERSHIP

- I. Notice of the public hearing was posted at the Town Hall and on the Town's web site and Facebook page, and mailed in accordance with section 17.02(2)(b) of the Town Code of Ordinances to owners of all property within ½ mile of the mining site. Town Chair Kris Hampton, and Supervisors Mike Fonger, and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan and Deputy Clerk Sue Kyle.
- II. Hampton read the notice and asked if there were any questions or comments. There were none.
- III. **MOTION** by Williams/Fonger to close the public hearing. **MOTION CARRIED 3-0.** The public hearing ended at 7:01 P.M.

TOWN BOARD MEETING

IV. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, and Supervisors Mike Fonger, and Kristi Williams were present, along with Clerk-Treasurer Kim Banigan and Deputy Clerk Sue Kyle. DGEMS Chief Eric Lang attended virtually.
- B. Hampton called the meeting to order at 7:01 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/Fonger to approve the minutes of the Town Board meeting held on April 17, 2023 as presented. **MOTION CARRIED 3-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by Fonger/Williams to approve checks #36299-36347, EFTs in the amount of \$23,200 and voided checks #36286 and 36287. **MOTION CARRIED 3-0.**
 2. **MOTION** by Williams/Fonger to approve payment of April per diems as presented. **MOTION CARRIED 3-0.**
- E. Public Concerns: None.

V. BUSINESS

- A. Potential TID 1 Cashflow Feasibility Discussion: **MOTION** by Williams/Fonger to table until the May 15th meeting as Ehlers was not ready to report. **MOTION CARRIED 3-0.**
- B. Consideration of approval of Parade or Race permits for:
 1. Ragnar Events LLC, Shane Asbury, applicant and event conductor, for a relay race utilizing County Road BB, Buss Road, Vilas Road, Clark Street and the Glacial Drumlin trail on May 13, 2023. The Clerk-Treasurer stated that payment has been made and arrangements are in progress for coverage by Deer-Grove EMS. **MOTION** by Williams/Fonger to approve the permit. **MOTION CARRIED 3-0.**
 2. Badger Challenge – UW Madison, Andrea VandeBerg, applicant and event conductor, for a fundraising bicycle event utilizing Deerfield, Schadel, S. Jargo, W. Jargo, Nora, Uphoff, W. Ridge, and Gaston Roads, Mourning Dove Dr., Sandpiper Trl., Bluebird Ln and Raven Way on September 24, 2023: Ms. VandeBerg was present virtually and stated

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MAY 2, 2023

that while the application states there will be 2,250 participants, she thinks there will be closer to 1,000 using the segments within the Town. The Clerk-Treasurer stated that payment has been received and arrangements have been made for coverage by Deer-Grove EMS. **MOTION** by Williams/Fonger to approve the permit. **MOTION CARRIED 3-0.**

- C. Consideration of approval of a non-metallic mining permit for GR Lyons II, operator, Rocky Rights, LLC owner for operations at mining site at 2294 US Highway 12&18 through June 30, 2023: GR Lyons III and Atty. Buck Sweeney were present, and voiced no objections to the permit having the same conditions as were imposed on the prior operator, which were:

PERMITTED OPERATING HOURS: Non-conforming area: 6:00 A.M. to 6:00 P.M., Mon.–Sat. Area subject to CUP #2405: 6:00 A.M. to 6:00 P.M. Mon. - Fri, 6:00 A.M. to 4:00 P.M. on up to 6 Saturdays per year, with 7 days prior notice to the Town Clerk and residents listed on CUP #2405 (OR AS OTHERWISE REGULATED)

OTHER CONDITIONS: As per operation plan on file with the Town of Cottage Grove and as per Dane County Conditional Use Permit #2405 for the 35 acres it applies to. In the interest of public health, safety and welfare, no hauling shall occur outside of the above hours EXCEPT where (1) material is required to assist with an emergency or a contract that requires night work AND (2) prior notice is given to the Town by email (clerk@towncg.net) and/or phone (608-839-5021 ext. 132). Prior notice by both methods is preferred, prior notice by one method is REQUIRED.

MOTION by Fonger/Williams to approve a Non-metallic mining permit for GR Lyons, III to operate the non-metallic mining site owned by Rocky Rights, LLC at 2294 US Highway 12&18 through June 30, 2023. **MOTION CARRIED 3-0.**

- VI. Review 2023-24 Non-metallic mining permit renewal applications, and set date for public hearing: Dale Huston and Dennis Richardson were present representing RG Huston Company. Renewal applications for their non-metallic mining sites at 3355 CTH N (“Skaar Pit”) and 2543 Gaston Road (Gaston Road Quarry) were reviewed. Richardson said there are no proposed changes to operations, and there were no requests for additional information. **MOTION** by Williams/Fonger to schedule a public hearing for Monday, June 5th at 7:00 P.M. **MOTION CARRIED 3-0.**
- VII. Consideration of pursuing a Raze Order for the house at 2983 County Road BB: The Clerk-Treasurer stated that he had spoken with the property owner who indicated he would cooperate with razing the house, however she also indicated he would attend tonight’s meeting and he was not present. **MOTION** by Hampton/Williams to direct the Building Inspector to send a certified letter to the property owner requesting permission to enter/inspect the property, and provide his findings for the May 15th Board meeting. **MOTION CARRIED 3-0.** The owner arrived later in the meeting and stated he is ready to proceed with razing the property. He has made an inquiry with the Fire Department about having it burned, and asked for names of potential local contractors. The Board was glad for his cooperation but stood by their original motion.
- VIII. Consideration of 2023-24 Committee member appointments: Hampton stated that no changes were made from prior appointments. **MOTION** by Williams/Fonger to approve the 2023-24 committee member appointments as presented. **MOTION CARRIED 3-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
MAY 2, 2023

- IX. Consideration of attendees for the DCTA Annual Membership meeting on May 17, 2023: **MOTION** by Fonger/Williams to allow for up to three attendees. **MOTION CARRIED 3-0.**
- X. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE: None.
- XI. CLERK-TREASURER OFFICE UPDATE: The annual report for use of ARPA funds has been submitted, the State has granted an extension to file the annual Form CT until May 15th, and the auditors have indicated they are working on it. Banigan and Steele attended the Dane County Clerk's luncheon today which included a full day of election training.
- XII. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton said the Town may want to think about upgrading the bridge on Natvig Road before the County updates the bridge on CTH N as there will likely be a lot of traffic on Natvig Road during that construction. He asked the Town Engineer to keep an eye out for possible funding sources. He also asked the Highway Superintendent to push right-of-way permit holders to complete restoration projects since property owners will be wanting to mow soon.
 - B. Williams expressed thanks to outgoing Municipal Judge April Hammond, and reported on the recent Chamber of Commerce meeting which included an updated Market Analysis report for the Cottage Grove community.
- XIII. COMMITTEE REPORTS:
- A. Deer-Grove EMS Commission: A new ambulance chassis discussion was tabled until there is indication whether the Village of Cottage Grove plans to remain part of the district. The Town of Deerfield has agreed to continue contracting. The Town of Pleasant Springs renewal contract will need to be presented to them along with CGFD's contract.
 - B. Cottage Grove Fire District Committee: Roof repairs were approved; delivery of the new Tender is expected at the end of May.
 - C. Plan Commission: The Commission recommended General Commercial zoning for new commercial properties on North Star Road, with a CUP if outdoor storage is needed. For uses not included under General Commercial, Heavy Commercial will be considered.
- XIV. ADJOURNMENT: **MOTION** by Fonger/Williams to adjourn. **MOTION CARRIED 3-0.** The meeting ended at 7:50 P.M.

Kim Banigan, Clerk-Treasurer

Approved 05-15-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 15, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall 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-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, and Town Engineer Nick Bubolz. Attorney William Cole arrived at 7:49 P.M. and EMS Chief Eric Lang arrived at 8:15 P.M.
- B. Hampton called the meeting to order at 7:01 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the Public Hearing and Town Board meeting held on May 2, 2023 with one typo correction. **MOTION CARRIED 4-0-1** (Anders abstained). **MOTION** by DuPlayee/Williams to approve the closed session minutes from April 17, 2023, and to keep them closed until the matter is resolved. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 - 1. **MOTION** by Fonger/DuPlayee to approve checks #36348-36376 and EFTs in the amount of \$12,973.45. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Williams/Fonger to approve payment of \$5,482.35 to General Engineering for April building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS

- A. Review April Police Activities: No Deputies were present. The board reviewed the monthly report, which showed 230 calls for service and 74 citations issued in April. The majority of the citations were for speeding.
- B. Potential TID 1 Cashflow Feasibility Discussion: (This discussion took place out of order because Atty. Cole was not here yet): Joe Murray from Ehlers presented his Potential Tax Increment District #1 Feasibility Report (Exhibit A). He began by saying that while original thoughts were to include areas A and B in TID #1, with projects for Area B not expected until 2036, he recommended only looking at Area A. New TIDs could be created later when development begins in the other areas. He then presented two options: Option 1 would facilitate just the Huston project, Option 2 would also include the balance of Area A. A TID must have sewer service before any buildings can be occupied, however the TID can be created and pay for the provision of the sewer service. For either option, he recommended financing the projects with Bond Anticipation Notes (BANs) in 2024 and capitalizing the interest so there would be no payments due in the first three years, and then refunding the BANs in 2027 with General Obligation (GO) Bonds. For Option 2, the 2027 GO Bonds would also finance the additional project costs. Charts in the report show estimated project costs, assumptions, tax increment projections, estimated financing plans and cash flow projections for both options. Option one showed a projected fund balance of \$1,134,674 in 2045, while Option 2 only showed a projected fund balance of \$666,000. He noted that the \$40,000 value projection for the Huston project seems optimistic, and recommended using a seasoned attorney to draft a development agreement to include provisions for a guaranteed value and/or Payment in Lieu of Taxes (PILOT) provision. He said that while the safest way to go would be a PayGo approach that would put the costs back on the developer, that is not possible with a 3.5-mile sewer extension to get to the project area. He advised starting with

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
MAY 15, 2023

Option 1. Atty. Cole stated that he has experience and is comfortable with drafting the development agreement. If everyone is confident that the \$40 million value estimate is true, he feels Option 1 is favorable, and a binding development agreement would be a good first step before significant costs are incurred. Murray said a discussion with MMSD about timeline, and negotiations for any easements that will be required for the sewer line extension. Atty. Cole said a public hearing/presentation to residents is discretionary but not required. **MOTION** by Hampton/DuPlayee to direct Atty. Cole to work with the developer on a development agreement to be presented to the Town at a public hearing to be held on July 17th. **MOTION CARRIED 5-0.**

- C. Discuss/Consider approval for engineering services associated with Vilas Road culvert crossing: Bubolz presented Town and Country Engineering, Inc.'s proposal for design and construction services for 2023 improvements to the Vilas Road culvert crossing. The Town recently received belated notice of an award under the County Bridge Aid program for this project. Bubolz advised that due to the late bidding process, it may end up that the work cannot be done until 2024, in which case he will re-apply for County Bridge Aid in 2024. **MOTION** by Fonger/Williams to accept the proposal and approve expenditure of up to \$50,000 in ARPA funds to cover the Town's portion of the project. **MOTION CARRIED 5-0.**
- D. Update on inspection/possible raze order for the house at 2983 County Road BB: The owner emailed the Clerk-Treasurer today to state that he would not be at the meeting, is still waiting for an answer from the Fire Department, and is looking into other options to raze the house. Banigan said that the Fire Chief told her they would not burn the house due to proximity to other buildings, power lines and CTH BB. The Building Inspector has not sent the letter requesting inspection yet. **MOTION** by Williams/DuPlayee to direct the Fire Chief to notify the owner by email of his decision not to burn the house. **MOTION CARRIED 5-0.**
- E. Consideration of using funds restricted for Welcome Sign maintenance for plantings around signs: Dennis Bork had provided a plan showing minimal-maintenance plantings for the signs near 3440 CTH N and 1682 CTH BB. **MOTION** by Williams/DuPlayee to approve spending up to \$300.00 of the funds designated for Welcome Sign maintenance to purchase the recommended plantings. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: Dresen reported that one permit has been issued since the last meeting, to Alliant Energy for new service to Lot 5 on Wooded Ridge Trl. There was discussion about how to get utility contractors to complete restoration work on a timely basis, as there have been lots of complaints filed this spring. Dresen has been repeatedly calling them to no avail. The Town has a \$5,000 deposit from Charter, but there are no contractors available to do the work now. It was suggested to break the Charter permit up into smaller projects and not approve the next one until restoration is complete on the current one. Later in the meeting, Atty. Cole was asked what can be done about the slow restoration. He said the Town is not alone in this struggle. He agreed to take a look at the Town's ordinance to see what additional enforcement provisions could be required.

IV. CLERK-TREASURER OFFICE UPDATE: Banigan reported that she and the two new Deputy Clerks have finally gotten a good handle on the routine tasks and are starting to get back to some of the other projects she was working on before the former treasurer left last October.

V. BOARD REPORTS AND COMMUNICATIONS: None.

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VI. COMMITTEE REPORTS: None.

MOTION by DuPlayee/Anders for a 10-minute recess to wait for Atty. Cole to arrive. **MOTION CARRIED 5-0.** The recording was stopped until his arrival at 7:49 P.M., then the recording was resumed and item II. B. was addressed.

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

Kim Banigan, Clerk-Treasurer
Approved 06-05-2023

MEMORANDUM

TO: Town of Cottage Grove, Wisconsin Chairman and Board
FROM: Joe Murray, Senior Municipal Advisor
DATE: May 11, 2023
SUBJECT: Potential Tax Increment District #1 Feasibility

Ehlers, as the Town's Municipal Advisor, was asked to evaluate the feasibility of the Town potentially creating a Tax Increment District (TID) to help facilitate development of a "Commercial Development Area" (CDA) along and near Highway 12/18. We have reviewed information regarding the development projections, cost estimates and other materials provided by the Town Planner, Mark Roffers.

Original thoughts were about the CDA containing 8 areas ("A-G"), but the initial TID (TID #1) would be primarily focused on only Areas A & B. Cost estimates and development projections for Area B quickly became too theoretical to realistically include in a TID to be created in the near future. The expectation that the TIDs for the CDA will be created as Industrial TIDs which have a maximum life of 20-years from creation. Development and projects for Area B were not expected until 2036, 12-years after the potential creation of TID #1, thus leaving a "life" of 8-years to recoup project costs. We recommend that the Town concentrate on the development in Area A, and if/when development becomes more likely in Area B (or any of the other areas) the Town consider creating new TIDs for the new development such that it can capture the full-life of the district.

Focusing on Area A there becomes two primary options – Option 1 to create a TID to facilitate the Huston development project, and Option 2 to create a TID to facilitate the Huston development project and development in the balance of Area A. The Town has a letter of intent dated March 22, 2023 with Huston to help facilitate the construction of a \$40,000,000 commercial building on approximately 36.4 acres of land owned by Skaar Pit LLC. The letter of intent calls for the construction of the building on or before December 31, 2025. Having the letter of intent provides the base development assumptions for Area A and Option 1 looks at helping facilitate the Huston development only.

The main obstacle to facilitating any development in the CDA is the absence of sanitary sewer. In order for the Town to create a TID the TID must have sanitary sewer service. The Town can create the TID to pay for the provision of sanitary sewer to the TID, but none of the buildings that would be constructed in the TID can be occupied until sanitary sewer service is available.

It is our understanding that the Town could possibly extend sanitary sewer service from a Madison Metropolitan Sewerage District (MMSD) main located approximately 3 miles away, near the Dane County Landfill. Preliminary cost estimates to extend service and install a lift station to serve Area A is \$3,500,000. Clearly such a large cost would be difficult for the Town to undertake without the creation of a TID.

To meet Huston’s proposed timeline, the Town will need to negotiate a service agreement with MMSD, engineer and construct the sewer improvements in 2024. As such, it is anticipated that the Town will need to create TID #1 early in 2024 to recoup the associated project costs.

Option 2 anticipates the Huston project being constructed in 2025 and the balance of Area A, approximately 264 acres, being developed over the entire life of the District. The Town Planner has projected that the acreage in Area A could be developed at approximately 9.5 acres/year at approximately \$232,000/acre. This would generate approximately \$2,204,000/year in incremental value over the life of TID, to add an additional \$44,000,000 in incremental value. Combined with the \$40,000,000 Huston development, Option 2 anticipates a total incremental value of approximately \$84,000,000.

Utilizing the Town’s 2022/23 Equalized Tax Rate of \$12.45/\$1,000 Equalized Value, the 2 sets of development assumptions generate very different incremental revenue projections. Option 1, only utilizing Huston’s \$40,000,000 is projected to generate \$9,463,938 in incremental revenue. Option 2 utilizing the full \$84,000,000 is projected to generate \$14,678,225 in incremental revenue.

The two Options also have different project cost projections. Option 1 is limited to project costs associated with serving the Huston Project. Provision of sewer service is projected to cost \$3,500,000 and intersection improvements at Highway N/Natvig Road are projected at \$600,000, requiring only \$4,100,000 in hard construction costs.

Option 2 includes the Option 1 costs and adds \$2,160,000 for additional sanitary sewer improvements to serve the balance of Area A, and \$1,200,000 to extend Natvig Road to North Star Road. Total hard construction costs for Option 2 are \$7,460,000.

To finance projects of either option Town would look to the issuance of a series of Bond Anticipation Notes (BANs) in 2024 for the Option 1 project costs, and then refunding the BANs with General Obligation (GO) Bonds in 2027 to refund the BANs. Option 2 would have the same combination of series, but the 2027 Bonds will include refunding the BANs and financing the additional construction and project costs for Option 2.

Structuring of the 2024 BANs would include financing 3-years’ worth of capitalized interest. For the Option 1 sizing, this will increase the size of the borrowing by \$648,000. For Option 2, the capitalized interest will increase the size of the borrowing by \$749,250. We strongly recommend that the Town include capitalized interest so that it provides time for construction and incremental revenues to be collected. It’s important to note, that development and construction in 2024 will not generate any incremental revenue until 2026. There is a 2-year “lag” in collections based on the State’s collecting taxes based on values as of January 1st the prior year in the next year.

If the Town were to not include capitalized interest it would be required to make the interest only payments in the first 3-years by placing it either on the entire Town tax base or by the Town “fronting” the money with fund balance and then paying itself back with TID incremental revenue over time. At roughly \$650,000 and \$750,000 respectively, that would be a significant drain on Town funds.

The BANs are projected at an interest rate of 4.50%. Rates remain volatile in current markets, but 4.50% should be conservative.

The Series 2027 GO bonds would be for an 18-year term to coincide with the maximum life of the District. The final maturity would be in 2045, the last year of incremental revenue. We've tried to be conservative with the 2027 Bonds having a 5.75% interest rate.

Based on the cost projections, development assumptions and incremental revenue projections, we project that Option 1 could support the \$8,865,376 in total project costs, cash flow and be able to close in 2043, 2-years prior to the 2045 mandatory closure. There is also projected cumulative fund balance in 2045 of \$1,134,674. This can provide more security to the Town in development doesn't occur as quickly as projected or at lower values.

Option 2 has \$14,764,005 in total projected project costs. The cash flow, however, is not as strong as Option 1. We project that Option 2 could cash flow, but it would require the full 20-year life and close in 2045. The cumulative projected fund balance at that time is also only \$663,470 so it is not as secure.

I must also highlight that the annual projected incremental revenue for Option 2 will not be enough on an annual basis to cover projected annual debt service payments until 2036. To make those annual debt service payments the Town would be required to either place the difference between the incremental revenue and the debt service payment amount on the entire Town tax base or front the funds from fund balance. The annual shortfall results in the cumulative fund balance in 2035 reaching approximately <\$750,000>. Again, this would be a large drain on the Town's financial position. The cash flow projects that the funds would be paid in full, but not until 2043.

The attached pages include Option 1 and Option 2's:

- Project Cost Projections
- Development Assumptions
- Incremental Revenue Projections
- Financing Plans; and
- Cash Flow Projections

A few other comments/concerns.

- Huston's value projection of \$40,000,000 - This sounds like a very optimistic value. It's my understanding that the building will be warehouse and showroom. I am concerned that the \$40,000,000 projection includes personal property items that will be the building, and not the taxable value of the building and property. If the \$40,000,000 includes personal property the Town must be aware that the State is continuing to consider eliminating personal property tax from the tax rolls. A bill has already been proposed in the legislature for this year. If the value is reduced by removing personal property tax revenue then the cash flows can be negatively impacted. Thus, if incremental revenues do not cover the annual debt service payments the Town will be obligated to make the payments in another manner (placing on entire Town tax base or internal loans).

- Utilize an experienced development attorney – I do not know who serves as the Town Attorney, but please make sure that they are experienced and comfortable writing strong development agreements to protect the Town’s interest as much as possible. The Huston development agreement should seek to have items such as:
 - Guaranteed incremental value in terms of amounts (\$) and timing,
 - Payment-in-lieu-of Taxes (PILOT) payments to the Town if incremental revenues fall short, such that the supplemental PILOT payment would cover the Town’s annual debt service,
 - Etc.,

All aspects of a development agreement are subject to negotiation, but an experienced development attorney can help lead the Town through the process.

- Start small – The creation of a TID, the large project costs to provide sanitary sewer to the area, and uncertainty of the economy and development, I would suggest that the Town “start small” and pursue Option 1 and “landing” the Huston development project. If things move well and more development is eminent, the Town could still proceed in 2027 for the Option 2 projects.

I plan to be in attendance (in person or virtually) for the Town Board’s meeting on May 15th and will be happy to answer any questions you may have.

Attachments

Cc with Attachments

- Kim Banigan, Town Clerk
- Mark Roffers, Town Planner
- Jon Cameron, Senior Municipal Advisor, Ehlers

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Estimated Project List

Project ID	Project Name/Type	Phase I 2024	Total (Note 1)
1	Sanitary Sewer to Interchange Area, Including Lift Station	3,500,000	3,500,000
2	Sanitary Sewer to Northern Part of North Star Road Corridor - Area A		0
3	Build HWY N/Natvig Road Intersection	600,000	600,000
4	Sanitary Sewer to South Part of North Star Road Corridor - Area A		0
5	Capitalized Interest	648,000	648,000
6	Sanitary Sewer In-between Sites - Area A		0
7	Extend Natvig Road to North Star Road		0
8	Sanitary Sewer - Southeast Corner of Area A Sanitary Sewer to South of HWY 12/18 - Area B		0
9	Area B		0
10	Cost of Debt Issuance	191,338	191,338
11	Interest Expense	3,786,039	3,786,039
12	Administration (2024-2045)	140,000	140,000
Total Projects		8,865,376	8,865,376

Notes:

- Note 1** Project costs are estimates and are subject to modification
 Project costs based on 2022 estimates, provided 4/10/23
 Assumes Area A improvements for Huston only
 Cost of Debt Issuance includes the Series 2023A BANs and 2027 GO Bonds
 Interest Expense includes the Series 2023A BANs and 2027 GO Bonds

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Development Assumptions

Construction Year		Huston Project	Annual Total	Construction Year	
1	2024		0	2024	1
2	2025	40,000,000	40,000,000	2025	2
3	2026		0	2026	3
4	2027		0	2027	4
5	2028		0	2028	5
6	2029		0	2029	6
7	2030		0	2030	7
8	2031		0	2031	8
9	2032		0	2032	9
10	2033		0	2033	10
11	2034		0	2034	11
12	2035		0	2035	12
13	2036		0	2036	13
14	2037		0	2037	14
15	2038		0	2038	15
16	2039		0	2039	16
17	2040		0	2040	17
18	2041		0	2041	18
19	2042		0	2042	19
Totals		<u>40,000,000</u>	<u>40,000,000</u>		

Notes:

Assumes Huston building only

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Tax Increment Projection Worksheet

Type of District	Mixed Use	Base Value	0	Apply to Base Value
District Creation Date	January 1, 2024	Appreciation Factor	0.00%	
Valuation Date	Jan 1, 2024	2022 Base Equalized Tax Rate	\$12.45	
Max Life (Years)	20	Rate Adjustment Factor		
Expenditure Period/Termination	15 1/1/2039	Tax Exempt Discount Rate		
Revenue Periods/Final Year	20 2045	Taxable Discount Rate	1.50%	
Extension Eligibility/Years	Yes 3			
Eligible Recipient District	No			

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt	Taxable NPV
								NPV Calculation	Calculation
1	2024	0	2025	0	0	2026	\$12.45	0	0
2	2025	40,000,000	2026	0	40,000,000	2027	\$12.45	498,102	469,304
3	2026	0	2027	0	40,000,000	2028	\$12.45	498,102	931,672
4	2027	0	2028	0	40,000,000	2029	\$12.45	498,102	1,387,207
5	2028	0	2029	0	40,000,000	2030	\$12.45	498,102	1,836,011
6	2029	0	2030	0	40,000,000	2031	\$12.45	498,102	2,278,181
7	2030	0	2031	0	40,000,000	2032	\$12.45	498,102	2,713,818
8	2031	0	2032	0	40,000,000	2033	\$12.45	498,102	3,143,016
9	2032	0	2033	0	40,000,000	2034	\$12.45	498,102	3,565,871
10	2033	0	2034	0	40,000,000	2035	\$12.45	498,102	3,982,477
11	2034	0	2035	0	40,000,000	2036	\$12.45	498,102	4,392,927
12	2035	0	2036	0	40,000,000	2037	\$12.45	498,102	4,797,311
13	2036	0	2037	0	40,000,000	2038	\$12.45	498,102	5,195,718
14	2037	0	2038	0	40,000,000	2039	\$12.45	498,102	5,588,238
15	2038	0	2039	0	40,000,000	2040	\$12.45	498,102	5,974,957
16	2039	0	2040	0	40,000,000	2041	\$12.45	498,102	6,355,961
17	2040	0	2041	0	40,000,000	2042	\$12.45	498,102	6,731,334
18	2041	0	2042	0	40,000,000	2043	\$12.45	498,102	7,101,160
19	2042	0	2043	0	40,000,000	2044	\$12.45	498,102	7,465,521
20	2043	0	2044	0	40,000,000	2045	\$12.45	498,102	7,824,497
Totals		40,000,000		0		Future Value of Increment	9,463,938		

Notes:

Actual results will vary depending on development, inflation of overall tax rates.
 NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Estimated Financing Plan

	Bond Anticipation Note 2024	G.O. Refunding Bonds 2027	Totals
Projects			
Phase I - Area A	4,100,000	4,800,000	8,900,000
Total Project Funds	<u>4,100,000</u>	<u>4,800,000</u>	<u>8,900,000</u>
Estimated Finance Related Expenses			
Municipal Advisor	25,000	27,500	
Bond Counsel	20,000	22,000	
Rating Agency Fee			
Paying Agent	850	950	
Underwriter Discount	7.00 33,600	12.50 61,438	
Capitalized Interest	648,000		
Total Financing Required	4,827,450	4,911,888	
Estimated Interest	1.50%	(30,750) 1.00%	0
Cost of Debt Issuance includes the Series :	6	0	
Rounding	3,300	3,113	
Net Issue Size	4,800,000	4,915,000	9,715,000

Notes:

Assumes constructing Area A improvements for Huston only

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Cash Flow Projection

Year	Projected Revenues			Expenditures										Balances			Year	
	Tax Increments	Debt Proceeds	Total Revenues	4,800,000 Bond Anticipation Notes Dated Date: 03/01/24			4,915,000 G.O. Refunding Bonds Dated Date: 02/01/27			Sewer Improvements	Street Improvements	Cost of Issuance	Admin.	Total Expenditures	Annual	Cumulative		Principal Outstanding
2024		4,800,000	4,800,000	3/1	4.50%	108,000	3/1	5.75%		3,500,000	600,000	191,338	30,000	4,429,338	370,663	370,663	4,800,000	2024
2025			0			216,000							5,000	221,000	(221,000)	149,663	4,800,000	2025
2026	0		0			216,000							5,000	221,000	(221,000)	(71,338)	4,800,000	2026
2027	498,102	4,915,000	5,413,102	4,800,000	4.50%	108,000			164,857			111,888	5,000	5,189,745	223,357	152,020	4,915,000	2027
2028	498,102		498,102				160,000	5.75%	278,013				5,000	443,013	55,089	207,109	4,755,000	2028
2029	498,102		498,102				170,000	5.75%	268,525				5,000	443,525	54,577	261,686	4,585,000	2029
2030	498,102		498,102				180,000	5.75%	258,463				5,000	443,463	54,639	316,326	4,405,000	2030
2031	498,102		498,102				190,000	5.75%	247,825				5,000	442,825	55,277	371,603	4,215,000	2031
2032	498,102		498,102				200,000	5.75%	236,613				5,000	441,613	56,489	428,092	4,015,000	2032
2033	498,102		498,102				215,000	5.75%	224,681				5,000	444,681	53,421	481,513	3,800,000	2033
2034	498,102		498,102				225,000	5.75%	212,031				5,000	442,031	56,071	537,584	3,575,000	2034
2035	498,102		498,102				240,000	5.75%	198,663				5,000	443,663	54,439	592,023	3,335,000	2035
2036	498,102		498,102				255,000	5.75%	184,431				5,000	444,431	53,671	645,694	3,080,000	2036
2037	498,102		498,102				270,000	5.75%	169,338				5,000	444,338	53,764	699,458	2,810,000	2037
2038	498,102		498,102				285,000	5.75%	153,381				5,000	443,381	54,721	754,179	2,525,000	2038
2039	498,102		498,102				300,000	5.75%	136,563				5,000	441,563	56,539	810,719	2,225,000	2039
2040	498,102		498,102				320,000	5.75%	118,738				5,000	443,738	54,364	865,083	1,905,000	2040
2041	498,102		498,102				340,000	5.75%	99,763				5,000	444,763	53,339	918,423	1,565,000	2041
2042	498,102		498,102				360,000	5.75%	79,638				5,000	444,638	53,464	971,887	1,205,000	2042
2043	498,102		498,102				380,000	5.75%	58,363				5,000	443,363	54,739	1,026,627	825,000	2043
2044	498,102		498,102				400,000	5.75%	35,938				5,000	440,938	57,164	1,083,791	425,000	2044
2045	498,102		498,102				425,000	5.75%	12,219				10,000	447,219	50,883	1,134,674	0	2045
Total	9,463,938	9,715,000	19,178,938	4,800,000		648,000	4,915,000		3,138,039	3,500,000	600,000	303,225	140,000	18,044,264				Total

Notes:
Assumes constructing Area A improvements for Huston only

Projected TID Closure

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Estimated Project List

Project ID	Project Name/Type	Phase I 2024	Phase II 2027	Total (Note 1)
1	Sanitary Sewer to Interchange Area, Including Lift Station	3,500,000		3,500,000
2	Sanitary Sewer to Northern Part of North Star Road Corridor - Area A	650,000		650,000
3	Build HWY N/Natvig Road Intersection	600,000		600,000
4	Sanitary Sewer to South Part of North Star Road Corridor - Area A		760,000	760,000
5	Capitalized Interest	749,250		749,250
6	Sanitary Sewer In-between Sites - Area A		360,000	360,000
7	Extend Natvig Road to North Star Road		1,200,000	1,200,000
8	Sanitary Sewer - Southeast Corner of Area A		390,000	390,000
9	Sanitary Sewer to South of HWY 12/18 - Area B			0
10	Cost of Debt Issuance	84,700	192,888	277,588
11	Interest Expense	749,250	5,387,918	6,137,168
12	Administration (2024-2045)	140,000		140,000
Total Projects		6,473,200	8,290,805	14,764,005

Notes:

- Note 1 Project costs are estimates and are subject to modification
- Project costs based on 2022 estimates, provided 4/10/23
- Project costs for Area A only - None for Area B
- Cost of Debt Issuance includes the Series 2023A BANs and 2027 GO Bonds
- Interest Expense includes the Series 2023A BANs and 2027 GO Bonds

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Development Assumptions

Construction Year		Huston Project	Area A Balance	Annual Total	Construction Year	
1	2024	0	2,203,855	2,203,855	2024	1
2	2025	40,000,000	2,203,855	42,203,855	2025	2
3	2026		2,203,855	2,203,855	2026	3
4	2027		2,203,855	2,203,855	2027	4
5	2028		2,203,855	2,203,855	2028	5
6	2029		2,203,855	2,203,855	2029	6
7	2030		2,203,855	2,203,855	2030	7
8	2031		2,203,855	2,203,855	2031	8
9	2032		2,203,856	2,203,856	2032	9
10	2033		2,203,855	2,203,855	2033	10
11	2034		2,203,855	2,203,855	2034	11
12	2035		2,203,855	2,203,855	2035	12
13	2036		2,203,855	2,203,855	2036	13
14	2037		2,203,855	2,203,855	2037	14
15	2038		2,203,855	2,203,855	2038	15
16	2039		2,203,855	2,203,855	2039	16
17	2040		2,203,855	2,203,855	2040	17
18	2041		2,203,855	2,203,855	2041	18
19	2042		2,203,855	2,203,855	2042	19
20	2043		2,203,855	2,203,855	2043	20
Totals		<u>40,000,000</u>	<u>44,077,101</u>	<u>84,077,101</u>		

Notes:

- Assumes Huston project built in 2025
- Assumes 264 Balance Acres (after Huston) in Area A to be developed at rate of 9.5 acres/year at \$231,985/acre - Planner Projection - 1/12/23 Analysis

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Tax Increment Projection Worksheet

Type of District	Mixed Use	Base Value	0	Apply to Base Value
District Creation Date	January 1, 2024	Appreciation Factor	0.00%	
Valuation Date	Jan 1, 2024	2022 Base Equalized Tax Rate	\$12.45	
Max Life (Years)	20	Rate Adjustment Factor		
Expenditure Period/Termination	15 1/1/2039	Tax Exempt Discount Rate		
Revenue Periods/Final Year	20 2045	Taxable Discount Rate	1.50%	
Extension Eligibility/Years	Yes 3			
Eligible Recipient District	No			

	Construction		Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt NPV Calculation	Taxable NPV Calculation
	Year	Value Added								
1	2024	0	2025	0	0	2026	\$12.45	0	0	0
2	2025	42,203,855	2026	0	42,203,855	2027	\$12.45	525,546	525,546	495,161
3	2026	2,203,855	2027	0	44,407,710	2028	\$12.45	552,989	1,078,535	1,008,479
4	2027	2,203,855	2028	0	46,611,565	2029	\$12.45	580,433	1,658,968	1,539,309
5	2028	2,203,855	2029	0	48,815,420	2030	\$12.45	607,876	2,266,844	2,087,022
6	2029	2,203,855	2030	0	51,019,275	2031	\$12.45	635,320	2,902,164	2,651,003
7	2030	2,203,855	2031	0	53,223,130	2032	\$12.45	662,764	3,564,928	3,230,651
8	2031	2,203,855	2032	0	55,426,985	2033	\$12.45	690,207	4,255,135	3,825,380
9	2032	2,203,856	2033	0	57,630,841	2034	\$12.45	717,651	4,972,786	4,434,617
10	2033	2,203,855	2034	0	59,834,696	2035	\$12.45	745,095	5,717,881	5,057,805
11	2034	2,203,855	2035	0	62,038,551	2036	\$12.45	772,538	6,490,419	5,694,397
12	2035	2,203,855	2036	0	64,242,406	2037	\$12.45	799,982	7,290,401	6,343,862
13	2036	2,203,855	2037	0	66,446,261	2038	\$12.45	827,425	8,117,826	7,005,679
14	2037	2,203,855	2038	0	68,650,116	2039	\$12.45	854,869	8,972,695	7,679,343
15	2038	2,203,855	2039	0	70,853,971	2040	\$12.45	882,313	9,855,008	8,364,357
16	2039	2,203,855	2040	0	73,057,826	2041	\$12.45	909,756	10,764,764	9,060,240
17	2040	2,203,855	2041	0	75,261,681	2042	\$12.45	937,200	11,701,964	9,766,521
18	2041	2,203,855	2042	0	77,465,536	2043	\$12.45	964,643	12,666,607	10,482,740
19	2042	2,203,855	2043	0	79,669,391	2044	\$12.45	992,087	13,658,694	11,208,450
20	2043	2,203,855	2044	0	81,873,246	2045	\$12.45	1,019,531	14,678,225	11,943,213
Totals		81,873,246		0			Future Value of Increment	14,678,225		

Notes:

- Actual results will vary depending on development, inflation of overall tax rates.
- NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).
- Assumes Huston Project and balance of Area A developed at 9.5 acres/year

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Estimated Financing Plan

	Bond Anticipation Note 2024	G.O. Bond 2027	Totals
Projects			
Phase I - Area A	4,750,000		4,750,000
Phase I - Area A Refunding		5,550,000	5,550,000
Phase II - Area A Balance		2,710,000	2,710,000
Total Project Funds	4,750,000	8,260,000	13,010,000
Estimated Finance Related Expenses			
Municipal Advisor	25,000	46,500	
Bond Counsel	20,000	40,000	
Rating Agency Fee			
Paying Agent	850	950	
Underwriter Discount	7.00 38,850	12.50 105,438	
Capitalized Interest	749,250		
Total Financing Required	5,583,950	8,452,888	
Estimated Interest	1.50% (35,625)	1.50% (20,325)	
Assumed spend down (months)	6	6	
Rounding	1,675	2,438	
Net Issue Size	5,550,000	8,435,000	13,985,000

Notes:

2027 GO Bonds anticipate refunding the 2023A BANS and financing the balance of projects for Area A

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Cash Flow Projection

Year	Projected Revenues				Expenditures										Balances			Year	
	Tax Increments	Interest Earnings/ (Cost)	Debt Proceeds	Total Revenues	5,550,000 Bond Anticipation Notes Dated Date: 03/01/24			G.O. Bond 8,435,000 Dated Date: 02/01/27			Sewer Improvements	Street Improvements	Cost of Issuance	Admin.	Total Expenditures	Annual	Cumulative		Principal Outstanding
2024			5,550,000	5,550,000	3/1	4.50%	124,875	3/1	5.75%		4,150,000	600,000	84,700	30,000	4,989,575	560,425	560,425	5,550,000	2024
2025				0			249,750							5,000	254,750	(254,750)	305,675	5,550,000	2025
2026	0			0			249,750							5,000	254,750	(254,750)	50,925	5,550,000	2026
2027	525,546		8,435,000	8,960,546	5,550,000	4.50%	124,875			282,924	1,510,000	1,200,000	192,888	5,000	8,865,686	94,859	145,784	8,435,000	2027
2028	552,989			552,989				275,000	5.75%	477,106				5,000	757,106	(204,117)	(58,333)	8,160,000	2028
2029	580,433			580,433				290,000	5.75%	460,863				5,000	755,863	(175,430)	(233,763)	7,870,000	2029
2030	607,876			607,876				310,000	5.75%	443,613				5,000	758,613	(150,736)	(384,499)	7,560,000	2030
2031	635,320			635,320				325,000	5.75%	425,356				5,000	755,356	(120,036)	(504,535)	7,235,000	2031
2032	662,764			662,764				350,000	5.75%	405,950				5,000	760,950	(98,186)	(602,721)	6,885,000	2032
2033	690,207			690,207				365,000	5.75%	385,394				5,000	755,394	(65,186)	(667,908)	6,520,000	2033
2034	717,651			717,651				385,000	5.75%	363,831				5,000	753,831	(36,180)	(704,088)	6,135,000	2034
2035	745,095			745,095				410,000	5.75%	340,975				5,000	755,975	(10,880)	(714,968)	5,725,000	2035
2036	772,538			772,538				435,000	5.75%	316,681				5,000	756,681	15,857	(699,111)	5,290,000	2036
2037	799,982			799,982				460,000	5.75%	290,950				5,000	755,950	44,032	(655,080)	4,830,000	2037
2038	827,425			827,425				490,000	5.75%	263,638				5,000	758,638	68,788	(586,292)	4,340,000	2038
2039	854,869			854,869				520,000	5.75%	234,600				5,000	759,600	95,269	(491,023)	3,820,000	2039
2040	882,313			882,313				550,000	5.75%	203,838				5,000	758,838	123,475	(367,548)	3,270,000	2040
2041	909,756			909,756				580,000	5.75%	171,350				5,000	756,350	153,406	(214,141)	2,690,000	2041
2042	937,200			937,200				615,000	5.75%	136,994				5,000	756,994	180,206	(33,935)	2,075,000	2042
2043	964,643			964,643				650,000	5.75%	100,625				5,000	755,625	209,018	175,083	1,425,000	2043
2044	992,087			992,087				690,000	5.75%	62,100				5,000	757,100	234,987	410,070	735,000	2044
2045	1,019,531			1,019,531				735,000	5.75%	21,131				10,000	766,131	253,399	663,470	0	2045
Total	14,678,225	0	13,985,000	28,663,225	5,550,000		749,250	8,435,000		5,387,918	5,660,000	1,800,000	277,588	140,000	27,999,755				Total

Notes:

Projected TID Closure

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JUNE 5, 2023

PUBLIC HEARING FOR 2023-24 ALCOHOL BEVERAGE LICENSES

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on May 31, June 1, and June 2, 2023, and posted on the Town's web site and the bulletin board at the Town Hall. Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, and Town Attorney William Cole. Town Chair Kris Hampton arrived at 7:02 P.M. Deer-Grove EMS Chief Eric Lang arrived near the end of the meeting.
- II. Anders called the public hearing to order in Hampton's absence. Hampton then arrived, read the list of applicants, and asked if there were any comments or questions from the public. There were none.
- III. **MOTION** by Williams/DuPlayee to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:03 P.M.

PUBLIC HEARING FOR 2023-24 NON-METALLIC MINING PERMITS

- I. Notice of the public hearing was posted on the Town's web site and the bulletin board at the Town Hall. Attendance was as listed above.
- II. Hampton read the list of applicants and asked if there were any comments or questions from the public. There were none.
- III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:05 P.M.

TOWN BOARD MEETING

- I. ADMINISTRATIVE
 - A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Attendance was as listed above.
 - B. Hampton called the meeting to order at 7:05 P.M.
 - C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the May 15, 2023 Town Board meeting with a correction to the motion for approval of checks. **MOTION CARRIED 5-0.**
 - D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve checks #36377-36407 and EFTs in the amount of \$31,872.72. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of May per diems as presented. **MOTION CARRIED 5-0.**
 - E. Public Concerns: None.
- II. BUSINESS
 - A. Discuss/Consider adoption of Resolution 2023-06-05a Recognizing the Hammond Farm's Nomination to the State and National Registers of Historic Places: Joel and April Hammond were in attendance. **MOTION** by Williams/DuPlayee to adopt the resolution as drafted. **MOTION CARRIED 5-0.** Photos were taken of the Hammonds with the Town Board at the request of the Cottage Grove Area Historical Society.
 - B. Consideration of July 1, 2023– June 30, 2024 Alcohol Beverage Licenses:

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
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1. Renewal of Class A Beer and Class B Cider License for Door Creek Orchard, LLC, Elizabeth Griffith, Agent, 3252 Vilas Road.
2. Renewal of Combination Class B Beer and Class B Liquor Licenses:
 - a) Ball of Fun LLC, d.b.a. Doubledays, Debra Stueber, Agent, 4586 Baxter Road.
 - b) Door Creek Golf Course, Inc., Phillip Frederickson, Agent, 4321 Vilas Road
 - c) Noras Tavern, Inc., Timothy Kluever, Agent, 1843 US Hwy 12 & 18
3. New Class B Beer and Class C Wine for Warm Belly Noble d.b.a. Warm Belly Farm, Francis D Wisnewski, Agent, 4311 Vilas Hope Road.

MOTION by Fonger/Williams to approve the five retail licenses listed above for the July 1, 2023 – June 30, 2024 license year. **MOTION CARRIED 5-0.**

4. Operators and Managers Licenses: The Clerk-Treasurer noted that one applicant has not completed a responsible beverage servers' class yet, and recommended approval of her license contingent on this required training. **MOTION** by DuPlayee/Williams to approve the 19 Operator's Licenses and 3 Manager's licenses as listed on Exhibit A for the July 1, 2023 – June 30, 2024 license year, contingent on Kristin Frederickson's completion of a responsible beverage server's course. **MOTION CARRIED 5-0.**

C. Consideration of July 1, 2023– June 30, 2024 Non-metallic Mining Permit Renewals:

1. 2543 Gaston Road, Brad Huston, Operator
2. 3355 County Road N, Brad Huston, Operator
3. 2294 US Highway 12 & 18, GR Lyons III, Operator

MOTION by Williams/DuPlayee to approve permits for the three non-metallic mining sites listed above to operate from July 1, 2023 to June 30, 2024 under the same conditions as the expiring permits. **MOTION CARRIED 5-0.**

D. Plan Commission Recommendations:

1. Duane Farwell, petitioner, Duane and Camilla Farwell and Farwell Family Investment Company, LLC, property owners: Requesting rezone 5.7 acres from RR-2 to RR-4 (4.2 acres) and RR-1(1.5 acres) to adjust property lines between adjacent properties at 4073 and 4085 Ridge Road (DCPREZ-2023-11951): The Clerk-Treasurer reported that a representative from Dane County Zoning called today to advise that if Lot 2 of the proposed rezone falls below 4 acres after subtracting the road right-of-way as requested by the Plan Commission, it may not qualify for RR-4 zoning, and would need to be RR-2 instead. Duane Farwell was present and had no problem with this. **MOTION** by Anders/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of 5.7 acres from RR-2 to RR-4 (4.2 acres) and RR-1(1.5 acres), with the Ridge Road right-of-way dedicated to the Town. If dedication of the right-of-way results in Lot 2 falling under 4.0 acres, RR-2 zoning is also acceptable. **MOTION CARRIED 5-0.**
2. Discuss/Consider approval of Dane County Ordinance Amendment 2023-OA-009 regarding salvage operations: **MOTION** by DuPlayee/Fonger to accept the Plan Commission's recommendation to approve the ordinance amendment as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
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- E. Update on inspection/possible raze order for the house at 2983 County Road BB: The Clerk-Treasurer said there is still no update on this, other than that the Building Inspector expects to get to it this week. Atty. Cole suggested that if a raze order is in fact issued and the Town is in a hurry to have it razed, we should be looking for a contractor that will be ready to go if the owner does not comply within the allotted 30 days.

(Note that Atty. Cole asked to hold the closed session listed below now so that he could leave for another appointment. The Board returned to this point in the agenda after the closed session was adjourned).

- F. Award Bids for 2023 Road Maintenance Projects: There were two bids for re-paving projects:
1. Payne & Dolan cost of all projects: \$316,148.60
 2. Wolf Paving cost of all projects: \$345,012.20

There was only one bid for chip sealing projects:

Fahrner Asphalt Sealers, LLC cost of all projects: \$64,717.00

MOTION by DuPlayee/Anders to accept the bid from Payne & Dolan for repaving projects and the bid from Fahrner Asphalt Sealers, LLC for chip sealing projects. **MOTION CARRIED 5-0.**

- G. Discuss/Consider funding options for 2023 Road Maintenance Projects: Hampton said that preliminary inquiries with local banks indicate interest rates in the 5-7% range. There is \$500,000 unborrowed and specified for road projects in the \$1,500,000 10-year note secured with Lakeridge Bank in 2022 at an interest rate of 2.65%. Discussion was whether to take \$350,000 of that to pay for 2023 road maintenance projects and pay it back in March of 2024, rather than securing another loan at a higher interest rate. Further discussion was whether to take the full \$500,000 available, and pay it all back in March of 2024 or over a longer term. **MOTION** by Fonger/Anders to use \$350,000 from the 10-year note to pay for 2023 road maintenance projects, and pay back the full amount in March of 2024. **MOTION CARRIED 4-1** (DuPlayee opposed).
- H. Discuss/Consider whether to renew lease for Police Station at 2560 Nora Road: Terms of the lease include that the Town must provide notice at least 6 months prior to the expiration date at the end of this year of intent to renew the lease for another three years. **MOTION** by Williams/Anders to provide notice of intent to renew for another three years. **MOTION CARRIED 5-0.** There was discussion about asking the Lessor to replace some of the cabinets.
- I. Discuss/Consider whether to participate in the 2024 Fly Dane project: The Clerk-Treasurer reported that the Town Engineer encouraged participation at the 3-inch resolution level if the Town can afford it. The Town Planner had no recommendation. Banigan said she finds great value in the Fly Dane data. **MOTION** by Anders/DuPlayee to participate in the 2024 Fly Dane project if the participation threshold for discount 3-inch pricing is reached. **MOTION CARRIED 5-0.**
- J. Discuss/Consider appointment of representative to attend Cottage Grove Chamber of Commerce meetings: Both Williams and DuPlayee expressed interest. **MOTION** by Fonger/Anders to appoint Williams to representative the Town at Chamber meetings, with DuPlayee as a backup. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JUNE 5, 2023

- K. Discuss/Consider date for first Town Board meeting in July: **MOTION** by Anders/Fonger to stick with the originally scheduled date of Monday, July 3, 2023. **MOTION CARRIED 5-0.**
- L. Discuss/Consider approval of Resolution 2023-06-05b Confirming Town's Intent to Participate in Negotiation and Arbitration process for the Siting of the Dane County Solid Waste Facility proposed at 7101 U.S. Highways 12 & 18 in the City of Madison: **MOTION** by DuPlayee/Williams to adopt the resolution as drafted, appointing Kris Hampton as the Town's member to the LNA committee, with Atty. Cole to represent him. **MOTION CARRIED 5-0.**
- M. Discuss/Consider appointment of a member to the Local Negotiated Agreement (LNA) Committee for the proposed Dane County Solid Waste Facility at 7101 U.S. Highways 12 & 18: This agenda item was un-necessary as the appointment was part of the resolution adopted above.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: No permits have been issued since the last meeting, but Dresen reported that a restoration crew is working in the Town and doing a very good job, even prompting some complimentary calls from residents.
- B. Dresen reported that truck #3 (the same one that had engine work last year) was blowing white smoke. Lakeside International replaced the EGR cooler under warranty, but also recommended replacing the Turbo for \$7,000. This work is now in progress. Next week they will be replacing some culverts and striping the Emergency Services Building parking lot. The playground equipment for Kennedy Hills arrived and has been delivered to the site, and site preparation is completed so the residents can install it. Fonger said he has been hearing good comments about the merry-go-round and teeter-totters recently put behind the Town Hall.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the County has submitted a petition to annex the solar farm, which includes half of the recently re-constructed bridge on Femrite Dr. Under the IGA with Madison, the city will need to reimburse the Town for 90% of the cost of half of the bridge.

VI. COMMITTEE REPORTS

- A. Deer-Grove EMS Commission: Chief Lang said the Village has sent out requests for more information about the proposals received earlier in the year from Sun Prairie, Madison, and McFarland, which he said were not apples to apples with the kind of services DGEMS provides. DGEMS will need to answer about 2/3 of the questions. He said that the Village President's requests to DGEMS are not unreasonable, that the alternate funding formula would save the Town money, and while the Village would have additional representation, the budgetary decisions still must be unanimous. Williams re-iterated her position that she said she had stated at the last DGEMS Commission meeting. She listed ways in which the municipalities have a background of sharing, and said she is willing to re-look at funding and representation because she thinks it is more important to continue DGEMS than to maintain the current funding and representation. Chief lang said the uncertainty is holding up decisions such as a scheduled ambulance replacement, and affects hiring.
- B. Emergency Government Committee: Nothing to report.

TOWN OF COTTAGE GROVE
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- C. Joint Town/Village Landfill Monitoring Committee: Anders was re-elected as chair; the meeting was business as usual to approve the bills.
- D. Cottage Grove Fire District Committee: Hampton was elected as chair. The Emergency Services Building failed a recent fire inspection.

(Note that the closed session actually took place between items II. E. and F. above. Atty. Cole left after the closed session.)

- VII. Consider/Adopt a motion to move into closed session pursuant to Wisconsin Statute Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Siting of the Dane County solid waste facility proposed at 7101 U.S. Highways 12 & 18): **MOTION** by DuPlayee/Williams to move into closed session for the reason stated above. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The Board, Atty. Cole, Clerk-Treasurer Kim Banigan, and Highway Superintendent Dan Dresen stayed, everyone else left. The door was locked, the recording was stopped, and the online meeting was muted. The closed session began at 7:31 P.M.
- VIII. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to reconvene in open session. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 7:53 P.M., the door was unlocked, the online meeting was un-muted and recording was re-started. There was no action as a result of the closed session.
- IX. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:37 P.M.

Kim Banigan, Clerk-Treasurer
Approved 06-19-2023

**For Consideration 06-05-2023
2023-24 Operator's License Applicants**

New/Renewal	Background	Servers	License	Full Name	Establishment
		Cert.	Number		
Rewewal (2021)	ok	yes	1001	Brad G, Bliss	Door Creek Golf Course
New	ok	yes	1002	Emma G. Dyer	Door Creek Golf Course
New	ok	yes	1003	Kendall C. Harju	Door Creek Golf Course
New	ok	yes	1004	Emma R. Kennedy	Door Creek Golf Course
Renewal	ok	yes	1005	Matilyn J. Mabie	Door Creek Golf Course
New	ok	yes	1006	Avary L. Rodefeld	Door Creek Golf Course
Renewal	ok	yes	2001	Abigail L Smith	Door Creek Orchard
Renewal	ok	yes	3001	Bernadette L. Archer	Doubledays
Renewal	ok	yes	3002	Becky J. Kratochwill	Doubledays
Renewal	ok	yes	3003	Mark A. Stueber	Doubledays
Renewal	ok	yes	3004	Riva M. Stueber	Doubledays
Renewal	ok	yes	4001	Lisa D. Broderick	Nora's Tavern
Renewal	ok	yes	4002	Brittany J. Calvert	Nora's Tavern
Renewal	ok	yes	4003	Jaimee L. Linnerud	Nora's Tavern
Renewal	ok	yes	4004	Jaybin R. Nielsen	Nora's Tavern
Renewal	ok	yes	4005	Jason M. Schmidt	Nora's Tavern
New	OK	yes	4006	Michelle L. Shapiro	Nora's Tavern
New	ok	yes	4007	Jason M. Simle	Nora's Tavern
New	ok	yes	4008	Rebecca A. Slater	Nora's Tavern

2023-24 Manager's License Applicants

New/Renewal	Background		License Numt	Full Name	Establishment
New	ok	NO	101	Kristin Frederickson	Door Creek Golf Course
Renewal	ok	Yes	301	Gary F. Stueber	Doubledays
Renewal	ok	Yes	401	Sheryl L. Kluever	Nora's Tavern

**TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2023-06-05a**

**RECOGNIZING THE HAMMOND FARM'S NOMINATION TO THE STATE AND NATIONAL
REGISTERS OF HISTORIC PLACES**

WHEREAS, Alexander Hammond moved to Cottage Grove, Wisconsin in 1843 from Ticonderoga, NY, and;

WHEREAS, in 1845, Alexander purchased 240 acres of land from the government and took up residence on the property at 3859 Vilas Road in the Town of Cottage Grove, and;

WHEREAS, in 1846 Alexander married Caroline Brown and they built the main section of the farmhouse, and;

WHEREAS, in 1847 and 1848 Alexander and Caroline built the north and south additions to the house, and;

WHEREAS, Robert Hammond inherited the farmstead from his parents, and;

WHEREAS, Robert married Annie Arthur and they built the barn in 1901, and;

WHEREAS, several other historic structures exist on the property with varying date ranges between 1901-1965, and;

WHEREAS, the farm was subsequently passed down to Robert and Edith (3rd generation), then to Harry and Mildred (4th generation), and;

WHEREAS, the farm is currently owned by 5th generation Joel and Marie Hammond, and;

WHEREAS, on May 26, 2023, the Wisconsin Historic Preservation Review Board nominated the Hammond Farmstead at 3859 Vilas Road, Town of Cottage Grove, Dane County, WI to the Wisconsin State Register of Historic Places and the National Register of Historic Places,

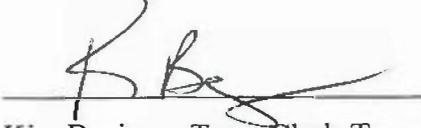
NOW, THEREFORE BE IT RESOLVED, that the Town of Cottage Grove Board of Supervisors hereby recognizes the Hammond family for their efforts in sustaining the historic nature of the Hammond Farmstead for 178 years and submitting it for nomination to the State and National Registers of Historic Places.

This resolution was duly considered and adopted by the Town of Cottage Grove Board of Supervisors pursuant to a vote 5 for and 0 against and 0 abstentions on this 5th day of June, 2023.

TOWN OF COTTAGE GROVE


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2023-06-05

**RESOLUTION CONFIRMING TOWN'S INTENT TO
PARTICIPATE IN NEGOTIATION AND ARBITRATION PROCESS FOR THE SITING
OF THE DANE COUNTY SOLID WASTE FACILITY
PROPOSED AT 7101 U.S. HIGHWAYS 12&18 IN THE CITY OF MADISON**

WHEREAS, the Town of Cottage Grove has been notified by the Dane County Department of Waste and Renewables that it is proposing a solid waste facility located at 7101 U.S. Highways 12&18 in the City of Madison and the proposed facility will be located within 1500 feet of the Town's boundary. Said notification was dated April 28, 2023 and was received by the Town of Cottage Grove on May 04, 2023;

WHEREAS, on May 16, 2023, the Town of Cottage Grove notified the Dane County Department of Waste and Renewables that there are no applicable local approvals as required pursuant to Wis. Stat. § 289.22(1m);

WHEREAS, pursuant to Wis. Stat. § 289.33, the Town of Cottage Grove is entitled to participate, as an "affected municipality," in the negotiation and arbitration process for the proposed expansion of this facility;

WHEREAS, the Town of Cottage Grove has participated, as an "affected municipality," in negotiations and arbitration for previous expansions of the solid waste facility located at 7102 U.S. Highways 12&18, and is party to negotiated agreements dated October 19, 1993, April 16, 2014 and July 15, 2021;

WHEREAS, to promote public health, safety and welfare of the Town and its residents, it is in the best interests of the Town to participate in the negotiation and arbitration process for the proposed facility; and,

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF COTTAGE GROVE, as follows:

1. The Town of Cottage Grove, Wisconsin, whose business address is 4058 County Highway N, Cottage Grove, WI 53527, intends to negotiate and, if necessary, arbitrate with the Dane County Department of Waste and Renewables, whose business address is 1919 Alliant Energy Center Way, Madison, WI, 53713, concerning the proposed solid waste disposal facility, which is located in the City of Madison, at 7101 U.S. Highways 12&18.
2. Within seven (7) days of passage of this Resolution, the Town Clerk-Treasurer shall send a copy of this Resolution to the Wisconsin Waste Facility Siting Board, 4822 Madison Yards Way, 5th Floor North, Madison, WI 53705-5400.
3. The Town Board does hereby appoint the following one member to the local committee that will negotiate and, if necessary, arbitrate with the Dane County Department of Waste and Renewables concerning the proposed expansion. The Town Clerk-Treasurer shall, within seven (7) days of the appointment, send the name, address of the appointee to the

TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2023-06-05^b

Wisconsin Waste Facility Siting Board. Within fifteen (15) days of the appointment, the appointee shall file a statement of economic interests with the Wisconsin Waste Facility Siting Board. Following the name of the member is the address of said member:

Name: Kris Hampton
Address: 3310 County Road N
Cottage Grove, WI 53527

Adopted this 5th day of June, 2023.

TOWN OF COTTAGE GROVE, WISCONSIN

Kris Hampton
Kris Hampton, Town Chairperson

Approved by a vote of 5 for and 0 against, at a duly noticed meeting of the Town Board of the Town of Cottage Grove, Wisconsin.

ATTESTED TO this 5th day of June, 2023.

TOWN OF COTTAGE GROVE, WISCONSIN

Kim Branigan
Kim Branigan, Town Clerk-Treasurer

Published/posted: 6/7/2023

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JUNE 19, 2023

PUBLIC HEARING FOR PROPOSED REVISIONS TO SEC. 08.03 OF THE TOWN CODE: RIGHT-OF-WAY PERMITS

- I. Notice of the public hearing was posted on the Town's web site and the bulletin board at the Town Hall. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, and Deputy Kristian Grams. Deer-Grove EMS Chief Eric Lang arrived later in the meeting.
- II. Hampton called the public hearing to order, read the public notice, and asked if there were any comments or concerns. Eugene Wagner, 1585 County Road BB, thought there should be an appeal process if a permit is denied, and that the Highway Superintendent should be reporting both approvals and denials to the Town Board. No one could remember there ever being a denial, but there was general agreement to ask the Town Attorney if an appeal process should be added. Wagner asked about how this ordinance pertained to mailboxes and culverts/driveways, the response was that these are addressed in separate ordinances.
- III. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:14 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's web site. Attendance was as listed above.
- B. Hampton called the meeting to order at 7:14 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s):
 1. **MOTION** by Williams/DuPlayee to approve the minutes of the June 5, 2023 Public Hearings and Town Board meeting with a correction to the motion under item II. G. **MOTION CARRIED 5-0.**
 2. **MOTION** by DuPlayee/Williams to approve the minutes from the June 5, 2023 closed session, and to keep them closed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Fonger to approve checks #36408-36437 and EFTs in the amount of \$14,456.71. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,350.00 to General Engineering Company for May building permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS

- A. Review May Police Activities: Deputy Grams reported that the new squad car is in service and that the new design looks good. The monthly report showed 200 calls for service and 92 citations issued in May. Deputy Grams noted that citations are mostly for traffic/speeding violations as usual. Calls for property checks are mostly comprised of vacation checks requested by residents. The speed boards on Gaston and Vilas Hope Roads have been moved to the opposite sides of the road, while the one on Sandpiper Trail was left in the same place as it is providing useful data. Average speeds are near the speed limits, but of course there are outliers. Access to CTH AB from US Hwy 12/18 will be closed for up to 90 days beginning

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JUNE 19, 2023

on Monday, June 26th while the new intersection is built. There will not be a posted detour. Deputy Grams has accepted a promotion and will be leaving the Town soon. She said it is the hardest position she has ever left. Her replacement is in the works.

- B. Discuss/consider adoption of Ordinance 2023-06-19 Adopting Revisions to section 08.03 of the Town Code: Right-of-way Permits, and approval of corresponding application form: Anders thought the fee amounts seem low. The discussion was mainly focused on the deposit amount. Anders thought it should be high enough to be almost punitive, so that contractors would not think it easier/cheaper to just forfeit the deposit and leave the restoration work to the Town. Hampton wanted the word Estimated removed from the start and end dates on the application form. **MOTION** by DuPlayee/Williams to table until the July 17th meeting when Atty. Cole can be present to advise on deposit amounts. **MOTION CARRIED 5-0.**
- C. Consideration of deposit amount for UpNetWI permit to install fiber in the road right-of-way: Katie Makowan of UpNetWi was present virtually. She said UpNetWi is a small company that will do all the work themselves, and a lot of the time they restore as they go along, then come back after completion of the project for a final round of restoration. Hampton suggested that the Town hold the \$5,000 it has pledged for this project until all restoration work is complete. Ms. Makowan was OK with that. **MOTION** by DuPlayee/Williams to hold the Town's \$5,000 pledge until the project is complete and all restoration work is completed satisfactorily. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Request for Funds and Memorandum of Understanding with the Wisconsin Elections Commission for the 2023 Absentee Ballot Envelope Subgrant Program: The Clerk-Treasurer said this program is intended to reimburse for absentee envelopes that will have to be thrown away due to the Election Commission's decision to redesign them. The Town stands to receive \$395.82 from the program, which will not cover the number of envelopes that will be thrown away, but will help. **MOTION** by Fonger/DuPlayee to approve the Town's submission of the Request for Funds and Memorandum of Understanding. **MOTION CARRIED 5-0.**
- E. Complete WDOA questionnaire for Annexation Petition #14598 by Dane County: The Board reviewed the questionnaire as completed by the Clerk-Treasurer. Additional comments were that the city cooperate with the Town in maintenance and snow removal of the shared roadways.
- F. Update on inspection/possible raze order for the house at 2983 County Road BB: The Clerk-Treasurer said that the Building Inspector is working with the property owner, who has indicated they want to take the house down themselves. The Board was concerned about how long they might take to accomplish this, and wanted a 30 day raze order issued.
- G. Discuss/Consider approval of interviewers of candidates for upcoming Contract Deputy Sheriff vacancy: Hampton said he has asked Captain Porter to narrow the field down to the top 6 candidates. **MOTION** by Anders/Fonger to approve Williams and DuPlayee as the interviewers. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: The only application since the last meeting was from UpNetWi, which was discussed earlier.
- B. Dresen reported they have not had much mowing due to the drought conditions. Milling for the paving projects will begin next week, with paving to start on July 5th. Fahrner has

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indicated seal coating will be in late July or early August. Truck #3 repairs are complete, to the tune of \$19,000.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS: Hampton shared notice from the WDOR about their planned equalized value review in Dane County, including possible roadside inspections. He asked if there was interest in donating the old Tender 1 to Ukraine when the new one arrives. There was no interest expressed.

VI. COMMITTEE REPORTS

A. Deer-Grove EMS Commission: Williams reported that she attended the opening of the new Deerfield Village Hall, which is very nice. Chief Lang said Village of Cottage Grove Commission members were asked what the Village wants and what might stop their due diligence process. Anders asked what the changes to licensure requirements proposed by AB245 will mean. Chief Lang said his understanding is that there will no longer be State licensure exams, but that successful completion of the final exam for a course at the technical college level will lead to certification. Chief Lang said that the Commission also discussed the Medic 80 replacement plan because due to vehicle availability and manufacturing capabilities of the vendor, an order will need to be placed sooner than later for 2025 delivery of a remount. A resolution to approve commitment to the 2025 remount will be on the next Town Board agenda.

B. Emergency Government Committee: Fonger reported that they are planning a training exercise for early December, which will be a mock tornado going down US Hwy 12/18. Dane County Emergency Management will run the exercise.

VII. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 8:22 P.M.

Kim Banigan, Clerk-Treasurer

Approved 07-03-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 3, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted on the Town's web site and the bulletin board at the Town Hall. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Atty. William Cole and DGEMS Chief Eric Lang attended virtually.
- B. Hampton called the meeting to order at 7:00 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the June 19, 2023 meeting as printed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve checks #36438--36457 and EFTs in the amount of \$21,885.20. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of June per diems as presented. **MOTION CARRIED 5-0.**
- E. Public Concerns: Village of McFarland Village President Carolyn Clow asked the Board to support the Village's request for inclusion in local negotiations for the future Dane County Landfill site. She said that while no Village properties are within the 1,500 feet required for them to be an affected municipality, Village residents are affected, particularly by the odor, of the current landfill and are concerned about the new site which will be even closer. She estimated that the closest residences are approximately 3,000 feet from the border of the property the new landfill will be developed on. (This topic is part of the closed session planned for later in the meeting.)

II. BUSINESS

- A. Plan Commission Recommendations:
 1. Nathaniel and Martha Snyder, Petitioners/Landholders, parcel #0711-074-8728-0 at 4300 Vilas Hope Road: requesting rezone of .736 acres from SFR-08 to TFR-08 to convert a single-family home to a duplex (DC-PREZ 11966): No one was present to represent the petitioners. **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of parcel from SFR-08 to TFR-08, noting that no RDU is needed for the second residential unit since the parcel was residential prior to the first residential blanket rezone in the Town that occurred in 1987 (the Comprehensive Plan says 1981, but that is incorrect). **MOTION CARRIED 5-0.**
 2. Amy Miles, Petitioner, Swalheim 2011 Rev Tr, Duane P & Candace J, Landholders, parcel #0711-273-033-0 (Lot 3 of CSM 16140 on North Star Road): requesting to modify deed restrictions on GC zoning to allow application for a CUP for outdoor storage. (DC-PREZ 11964): Ms. Miles was present virtually, and explained that the planned use is a construction equipment rental site to be operated by Equipment Share. The building will include a showroom, offices, and work area for equipment maintenance and washing. A 6-foot wooden fence is planned around the perimeter of the property, with integrated landscaping to provide screening. The parking lot will be crushed concrete which is dustless and packs to a hard surface with use, but is not as easily damaged by heavy equipment as pavement would be. **MOTION** by

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 3, 2023

Williams/DuPlayee to accept the Plan Commission's recommendation to revise the deed restriction on this lot to allow a CUP for outdoor storage to be considered. **MOTION CARRIED 5-0.**

3. Swalheim 2011 Rev Tr, Duane P & Candace J, Petitioners and Landowners, Parcel 0711-273-0444-0 (Lot 4 of CSM 16140 on North Star Road): requesting rezone of 27.742 acres from FP-1 to GC (18.5 acres) and UTR (9.4 acres) for a commercial business park development (DC-PREZ 11960): No one was present to represent the petitioners: **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to approve the rezone of 18.5 acres to GC and 9.4 acres to UTR, with the following conditions: 1) All permitted uses in the General Commercial zoning district would be allowed EXCEPT Day care centers, Indoor entertainment, or assembly and Transient or tourist lodging. 2) Only the following conditional uses could be proposed: Contractor, landscaping or building trades (outdoor), Communication towers, Outdoor Storage, Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above, Vehicle repair or maintenance service, 3) None of the residential uses by conditional use permit could be proposed, 4) the rezone will not be effective until a final plat and developer's agreement are approved and fully executed. **MOTION CARRIED 5-0.**
 4. Discuss/Consider approval of Dane County Ordinance Amendment 2023-OA-010 regarding the definition of "Day Care Center": **MOTION** by DuPlayee/Williams to accept the Plan Commission's recommendation to support this amendment. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of Deer-Grove EMS Resolution 2023-01-06152023: Ambulance Capital Purchase: Chief Lang said the other DGEMS partners have already approved the resolution. There is no penalty for withdrawing from the agreement to purchase an ambulance until construction begins in 2025. **MOTION** by Williams/DuPlayee to approve Deer-Grove EMS Resolution 2023-01-06152023: Ambulance Capital Purchase as presented. **MOTION CARRIED 5-0.**
- C. Discuss/Consider potential Eagle Scout Projects: Eagle Scout candidate Tate Hepler and Scout Leader Tim Wurgler were present. Suggestions were to refurbish picnic tables and/or build new Leopold benches for the parks. Hepler thought he could refurbish six picnic tables and build four Leopold benches in the time he has available. **MOTION** by Fonger/Williams to approve the Eagle Scout project to refurbish six picnic tables and build four Leopold benches. **MOTION CARRIED 5-0.** Hepler should assess the needs and provide a materials list to Dresen, who will get the cost estimate for them. The Board will consider approval of the materials and timeline at the July 17th meeting.
- D. Discuss/Consider approval of using Welcome Sign funds to cover the cost of plantings exceeding the \$300.00 approved on May 15, 2023: There have been an additional \$256.42 in costs of plantings beyond what was previously approved. There is currently \$11,969.03 available in the Welcome Sign fund. **MOTION** by Williams/DuPlayee to cover the addition cost of plantings with Welcome Sign funds. **MOTION CARRIED 5-0.**
- E. Discuss/Consider use of gift cards earned through rebates on purchases: Banigan reported that there are currently \$35.00 in Cabelas cards and \$25.00 in Visa Gift cards available. Hampton suggested giving them to Dennis Bork in appreciation for all the work he has done

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JULY 3, 2023

in dressing up the welcome signs with plantings. **MOTION** by Fonger/DuPlayee to approve giving all \$55.00 in gift cards to Dennis Bork. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: One permit is in the works for MCI Metro/Intercon to install fiber on Gaston Road, pending payment of \$945.00 in application fees and a \$1,200.00 deposit.
- B. Dresen reported that he obtained a quote for \$2,450.00 to raise the sunken sidewalk in front of the Town Garage in preparation for re-paving of the parking lot. There was general agreement with his suggestion to remove the sidewalk and replace it with blacktop instead.
- C. Restoration work for fiber installation projects is coming along, crews are currently working in the Ridge Road area.
- D. Re-paving projects are scheduled to begin on Wednesday.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan reported that she learned from the WDOR that Class C Wine licenses can only be issued to restaurants, so Warm Belly Farms will need to apply for a Class B Liquor license instead. Luckily for them, the Town has two regular Class B licenses available so they will not need to pay the Reserve Class B fee. A public hearing for the Class B Liquor License is scheduled for July 17th.

V. BOARD REPORTS AND COMMUNICATIONS: Williams reported on the June 22nd Chamber of Commerce meeting. Highlights included plans for Marketplace Day on July 15th and a Community night on August 17th that will feature food trucks and a movie. The Village of Cottage Grove shared drone footage of roads in need of repair.

VI. COMMITTEE REPORTS

- A. Cottage Grove Fire District Commission: The Commission asked for more details and options after reviewing a quote for a new security system for Emergency Services Building doors.

VII. Consider/Adopt motion to convene in Closed Session Pursuant to Wisconsin Statute Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Development Agreement with RG Huston Company, Inc.; Village of McFarland Request to Participate in Dane County Landfill Proceedings): **MOTION** by Fonger/Williams to convene in Closed Session for the reasons stated above. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** Everyone except the Town Board and Clerk-Treasurer left the room and the door was locked. Atty. Cole remained present virtually, the virtual meeting was locked to prevent others from joining, and recording was paused. The closed session began at 7:58 P.M.

VIII. Consider/Adopt motion to reconvene to open session pursuant to Wisconsin Statute Section 19.85(2): **MOTION** by Fonger/Anders to reconvene to open session. **MOTION CARRIED 5-0 BY ROLL CALL VOTE.** The closed session ended at 8:36 P.M. Fonger unlocked the door, the virtual meeting was unlocked, and recording was resumed. Village President Carolyn Clow rejoined the meeting.

IX. Consider action concerning a development agreement with RG Huston Company, Inc: **MOTION** by Fonger/DuPlayee directing Atty. Cole to send the development agreement to RG Huston Company, Inc, and their attorney. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
JULY 3, 2023

- X. Consider action concerning the Village of McFarland Request to Participate in Dane County Landfill Proceedings: **MOTION** by Anders/Fonger to support the Village of McFarland's request to participate in Dane County Landfill proceedings as long as the City of Madison and Dane County are also in support. **MOTION CARRIED 3-2** (Hampton and DuPlayee opposed).
- XI. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0**.
The meeting ended at 8:40 P.M.

Kim Banigan, Clerk-Treasurer
Approved 07-17-2023

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JULY 17, 2023

PUBLIC HEARING FOR CLASS B LIQUOR LICENSE FOR WARM BELLY NOBLE, LLC

- I. Notice of the public hearing was published in the legal section of the Wisconsin State Journal on July 12, 13 and 14, 2023, and posted at the Town Hall and on the Town's website and Facebook page.
- II. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Deputy Clerk Sue Kyle, Highway Superintendent Dan Dresen, Deputy Kristina Grams, Atty. William Cole, Town Planner Mark Roffers, and Town Engineer Nick Bubolz.
- III. Hampton called the public hearings to order.
- IV. There were no public comments regarding the Alcohol Beverage License application.

PUBLIC HEARING FOR PROPOSED REVISIONS TO CHAPTER 11 – PUBLIC NUISANCES REGARDING ENFORCEMENT OF NOXIOUS WEEDS

- I. Notice of the public hearing was posted at the Town Hall and on the Town's website and Facebook page. Attendance was the same as above.
- II. Banigan summarized the revisions that would add grass longer than 6 inches on residential parcels to the list of noxious weeds, and allow for quicker enforcement action in response to complaints regarding violations of this.
- III. Dimitria Van Straten, 4591 Lotus Ln, asked what brought this on. Hampton said it is to allow for quicker response when the Town receives complaints about un-mown lawns.

PUBLIC HEARING FOR PROPOSED DEVELOPMENT PROJECT NEAR THE INTERSECTION OF COUNTY ROAD N

- I. Notice of the public hearing was posted at the Town Hall and on the Town's website and Facebook page. Attendance was the same as above.
- II. The Conceptual Rural Business Park Development Plan for the discussion area was displayed on the screen. Hampton explained that there are currently no sewer or water services there. The Town Board had Roffers and Ehlers estimate what the development potential would need to be in order for the Town to create a Tax Incremental District (TID) there to pay for installation of a sanitary sewer system, which Hampton said would attract more valuable commercial development.
- III. Town Planner Mark Roffers displayed several diagrams (Exhibit A) and described how plans for commercial development in the discussion area were developed. Last fall the Town asked him to look at how much additional tax revenue could be gained by having public water and sewer available. He concluded that the expense and degree of intergovernmental cooperation to get public water out there would be cost prohibitive. Other similar areas around southern Wisconsin that offer sewer services tend to attract development with values 15-20% higher than without sewer services, and they tend to develop quicker. Exhibit 3 of his presentation was a map that divided the area that a sewer line would come through into sub-areas by potential for commercial development. He said that Area A offers the highest potential for commercial development initially.

Joe Murray from Ehlers presented his financial analysis for a TID (Exhibit B), which included two options. Option 1 included only the property in Area A owned by the Hustons, who are proposing a \$40 million facility there. Option 2 also included the rest of Area A. He recommended Option 1 initially, stating that the rest of Area A is more speculative at this time. His analysis projected that over the 20-year life of a TID, the \$40 million facility would generate \$9.4 million of incremental

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JULY 17, 2023

revenue to pay for project costs, which are estimated at \$8.8 million, leaving roughly \$1 million of “wobble room”. Option 2 does not cash flow as well, with only roughly \$600,000 of “wobble room”, and includes a greater risk to the Town with some years that the increment would not cover the debt service, meaning it would need to be covered by the Town’s fund balance or taxes. If interest in other areas becomes enough to finance sewer service, the TID could be expanded, or another TID could be created.

IV. Public Comments:

- Joe Ellingson, 3187 N. Star Road, questioned why anyone would want to put up a \$40 million facility with no public water available. Board comments were that the owner would need to provide their own fire suppression system.
- Duane Swalheim asked how much value would be needed in his business park on North Star Road to pay for sewer service. Roffers and Murray offered to talk to him more about this.
- Darin Kalisak, 3520 Natvig Road, asked what kind of business is proposed. Hampton said this has not been disclosed, only the value. Atty. Cole said at this point, all the Town Board is concerned about is that the value will support the sewer improvements. Development would need to go through the usual approval process.
- Craig Slager of Paul Davis Restoration at 3432 County Road N expressed interest in connecting his business to a sewer service, and wondered about the timeline and what effect it would have on taxes. Town Engineer Nick Bubolz estimated it would take 2-3 years to jump through the planning and regulatory hoops to get sewer installed. Murray said it sounds like revenue projections need to be bumped out a year since his numbers assumed sewer would be built in 2024 and the Huston facility would be built in 2025.

V. **MOTION** by Williams/DuPlayee to close the public hearings. **MOTION CARRIED 5-0.** The public hearings ended at 7:59 P.M.

TOWN BOARD MEETING

I. ADMINISTRATIVE

- A. Notice of the meeting was posted on the Town’s web site and the bulletin board at the Town Hall. Attendance was as described above.
- B. Hampton called the meeting to order at 7:59 P.M.
- C. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the July 3, 2023 meeting as printed. **MOTION CARRIED 5-0.** **MOTION** by DuPlayee/Williams to approve the closed session minutes from July 3, 2023, and to keep them closed. **MOTION CARRIED 5-0.**
- D. Finance Report and Approval of Bills:
 1. **MOTION** by DuPlayee/Anders to approve checks #36458-36488 and EFTs in the amount of \$12,660.19. **MOTION CARRIED 5-0.**
 2. **MOTION** by Anders/DuPlayee to approve payment of \$6,251.34 to General Engineering for June Building Permits. **MOTION CARRIED 5-0.**
- E. Public Concerns: None.

II. BUSINESS

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JULY 17, 2023

- A. Review June Police Activities: Deputy Grams said most of the calls have been traffic related, and there have also been a lot of property checks as people are on vacation. They are considering moving the smaller speed board to Vilas Road south of US Hwy 12/18 where traffic has increased due to the closure of County Road AB, and moving the one on Gaston Road to a different location for better readings. She reminded people to lock their doors, close the garage door and take the opener inside with them.

(Some of the remaining agenda items were taken out of order).

- B. Re-evaluate Police Coverage Hours: The DCSO had provided stats showing what times of the day and night most calls occur. An email from Deputy Grafton recommended adjusting the shifts to 7 a.m. to 3 p.m. and 3 p.m. to 11 p.m. because call volume drops drastically after 11 pm. Deputy Grams agreed that there are fewer calls later at night, although the calls that do occur are typically a little bigger. She saw no harm in an earlier shift, which would give more daylight during the shift and get the second shift deputy out on the road in better time for rush hour traffic. **MOTION** by Fonger/DuPlayee to change the shifts as recommended by Deputy Grafton. **MOTION CARRIED 5-0.** A little later in the meeting, Alicia Rauch, 4552 Vilas Road, commented that police hours do not have to be locked into set hours. It was noted that the Town Chair does have the ability to change hours temporarily as needed.
- C. Consider approval of 2023-24 Class B Liquor License for Warm Belly Noble LLC, dba Warm Belly Farm, at 4311 Vilas Hope Road: **MOTION** by Fonger/Williams to approve the 2023-24 Class B Liquor License for Warm Belly Noble LLC, dba Warm Belly Farm, at 4311 Vilas Hope Road. **MOTION CARRIED 5-0.**
- D. Consider action concerning proposed development by RG Huston Company, Inc: It was noted that Atty. Cole is working on a developer's agreement with the Hustons, and follow-up is needed with Paul Davis Restoration and Duane Swalheim based on their inquiries during the public hearing. No action taken.
- E. Consider approval cost of materials and timeline for Eagle Scout Project: Boy Scout Tate Hepler was present and had provided his list of materials to repair the picnic tables and build four benches. Dresen estimated a cost of \$585. **MOTION** by DuPlayee/Williams to approve up to \$585 from the Parks budget for Hepler to rebuild 6 picnic tables and build 4 benches as his Eagle Scout project. **MOTION CARRIED 5-0.**
- F. Consider the MG Soccer Club's request for use of Town fields for the Fall 2023-Spring 2024 season and to hold their monthly meetings at the Town Hall rent free: Marissa Anders represented the MG Soccer Club. She said they use the American Heritage and Ravenwood fields for practices, and the Town Hall field for games. They would also like to use the Bass Park field for practices for U-12 boys. She did not have practice or game schedules yet, and said she may want to come to a future meeting to discuss using the fields for camps. **MOTION** by Williams/DuPlayee to allow the MG Soccer Club to use American Heritage, Ravenwood and Bass Park fields for practice and the Town Hall field for games, and to allow the club to use the Town Hall for meetings on the third Wednesday of each month. **MOTION CARRIED 4-0-1** (Anders abstained).
- G. Consider adoption of Ordinance 2023-07-17a adopting revisions to section 08.03 of the Town Code of Ordinances – Road Right-of-Way Permits: **MOTION** by Fonger/Williams to adopt Ordinance 2023-07-17a as presented. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
PUBLIC HEARING AND TOWN BOARD MINUTES
JULY 17, 2023

- H. Consider adoption of Ordinance 2023-07-17b adopting revisions to Chapter 11 of the Town Code of Ordinances – Public Nuisances regarding enforcement of noxious weeds: **MOTION** by DuPlayee/Anders to adopt Ordinance 2023-07-17b as presented. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: None since the last meeting.
- B. Dresen reported that chip sealing is complete except for the Town Hall parking lot. Payne and Dolan are working on paving projects. The small speed sign only has one battery, he suggested getting a second one at a cost of \$634.15 so it would not be out of service while the battery is being charged. Consensus was to go ahead with the purchase. The Clerk-Treasurer suggested purchasing it under the appropriate category and looking at a budget amendment later in the year if that category is over budget.

IV. CLERK-TREASURER’S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS: Nothing to report.

VI. COMMITTEE REPORTS: Nothing to Report.

VII. 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: Deputy candidate interview results: **MOTION** by Williams/DuPlayee to move to closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** Everyone except the Town Board, Clerk-Treasurer and Deputy Clerk left, the door and virtual meeting were locked, and recording was paused. The closed session began at 8:51 P.M.

VIII. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by DuPlayee/Williams to reconvene to open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 9:02 P.M. **MOTION** by Fonger/DuPlayee to select the first two on the list of deputy candidates. **MOTION CARRIED 5-0.**

IX. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 9:03 P.M.

Kim Banigan, Clerk-Treasurer
Approved 08-07-2023

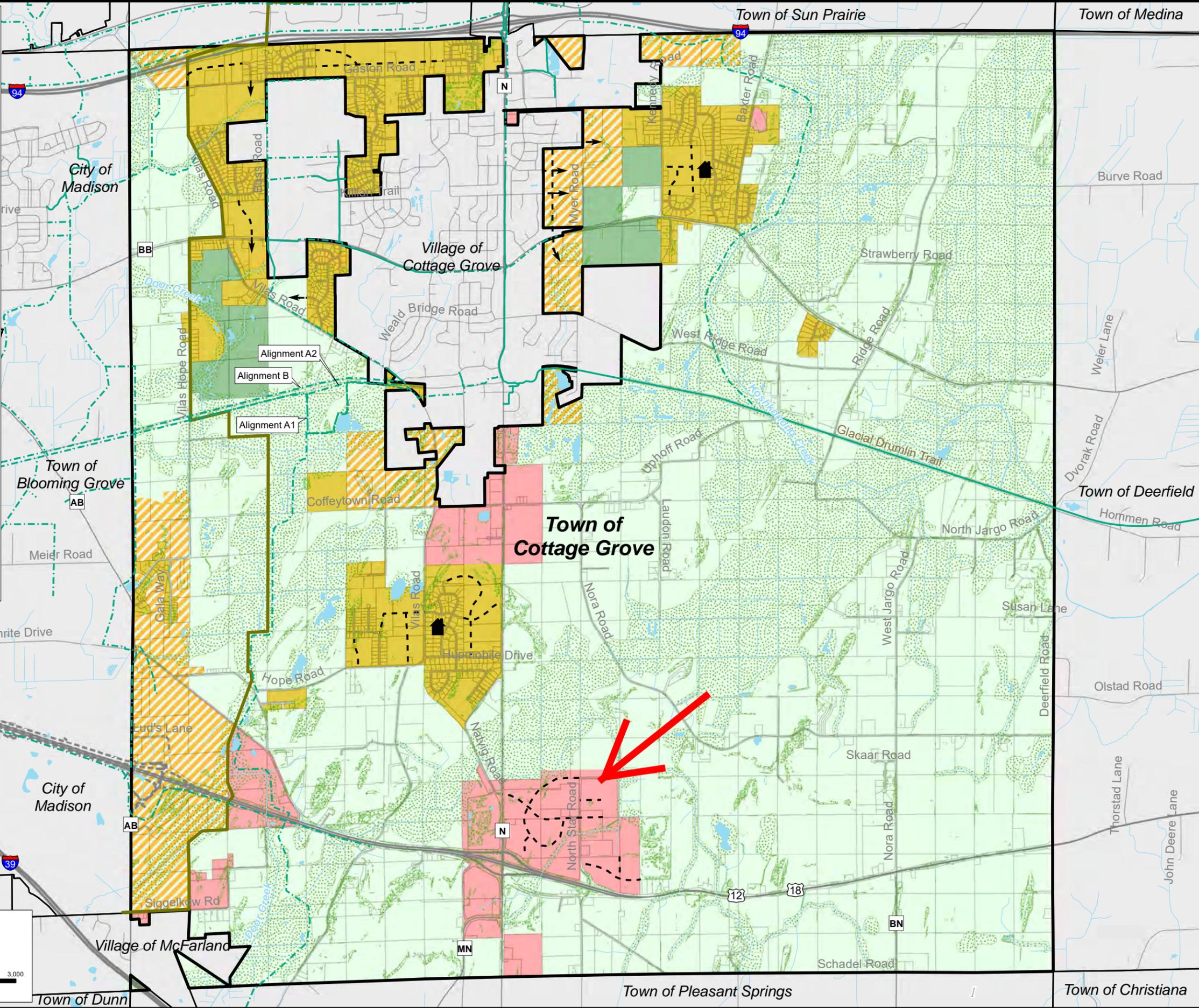
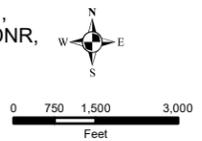
Legend

- Future Land Use Categories**
- Agricultural Preservation Area
 - Agricultural Transition
 - Open Space and Recreation Area
 - Neighborhood Development Area
 - Commercial Development Area
 - Resource Protection Corridor
- Rural Neighborhood Expansion Area
 - Existing Off-Street Trails
 - Planned Trails
 - Conceptual Future Roads
 - Preliminary Highway 12/CTH AB Interchange Design
 - Parcels (May 2022)
 - Potential Madison Expansion Area (per 2022 IGA)
 - Town of Cottage Grove Limits (May 2022)
 - Surface Water

Note: Lands in the Agricultural Preservation Area, including lands also mapped Resource Protection Corridor, may serve as TDR Sending Areas in the Town's TDR program. Lands in the Neighborhood Development Area, and in the Agricultural Transition Area once the Town designates such lands as appropriate for more intensive development, may serve as the primary TDR Receiving Areas. The Town may also allow limited transfer of Residential Density Units between parcels in the Agricultural Preservation Area. See Land Use chapter for details and limits.

Sources: MDRoffers Consulting, Strand Associates, FEMA, WI DNR, WI DOT & Dane County LIO

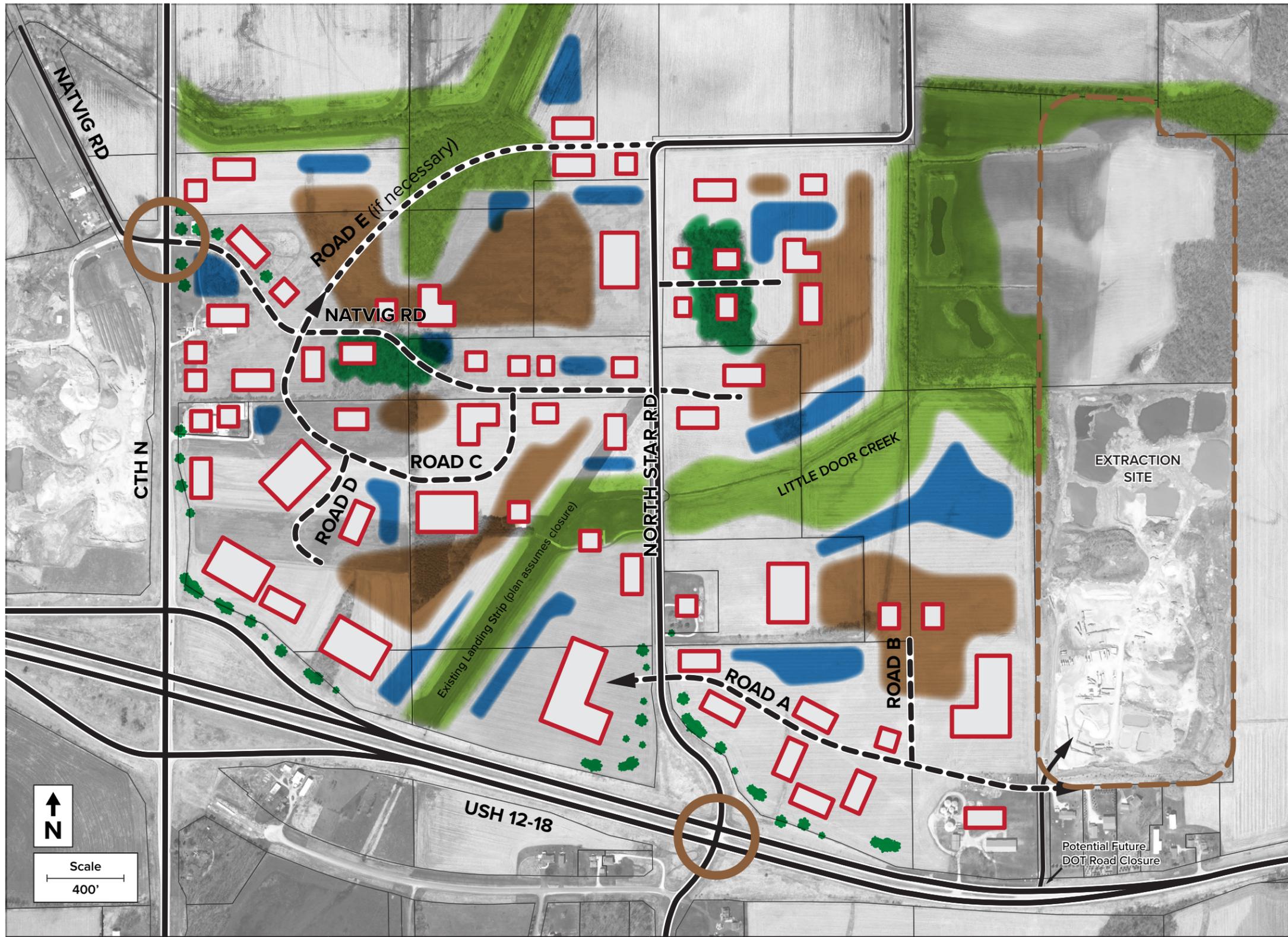
Date: June 29, 2022



TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
DANE COUNTY, WISCONSIN



MAP 16



LEGEND

-  Commercial/Light Industrial Conceptual Building Footprints
-  Larger Outdoor Storage Yards Allowed
-  Existing Roads
-  Conceptual Future Roads
-  Conceptual Stormwater Management Areas
-  Conceptual Resource Protection Corridors
-  Woodland Retention and Landscape Emphasis Areas
-  Business Park Gateways (entry signage, landscaping)

For permissible and recommended land uses, and for development design standards, see:

- Town Design Review Ordinance (Section 12.08 of Town Code)
- Applicable Land Division Ordinances (including Chapter 15 of Town Code and Chapter 75 of Dane County Code)
- Figure 8 of Town Comprehensive Plan Vision and Directions Volume (Commercial Development Area Purpose and Policies)
- Program to “Focus Commercial Development at the Highway 12/18/N Interchange Area” in Comprehensive Plan Vision and Directions Volume
- County Zoning Ordinance (Chapter 10 of County Code)
- County Erosion Control and Stormwater Management Regulations (Chapter 14 of County Code)

CONCEPTUAL RURAL BUSINESS PARK DEVELOPMENT PLAN
HIGHWAYS 12/18/N INTERCHANGE—NORTHEAST QUADRANT
 TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN
 DANE COUNTY, WISCONSIN

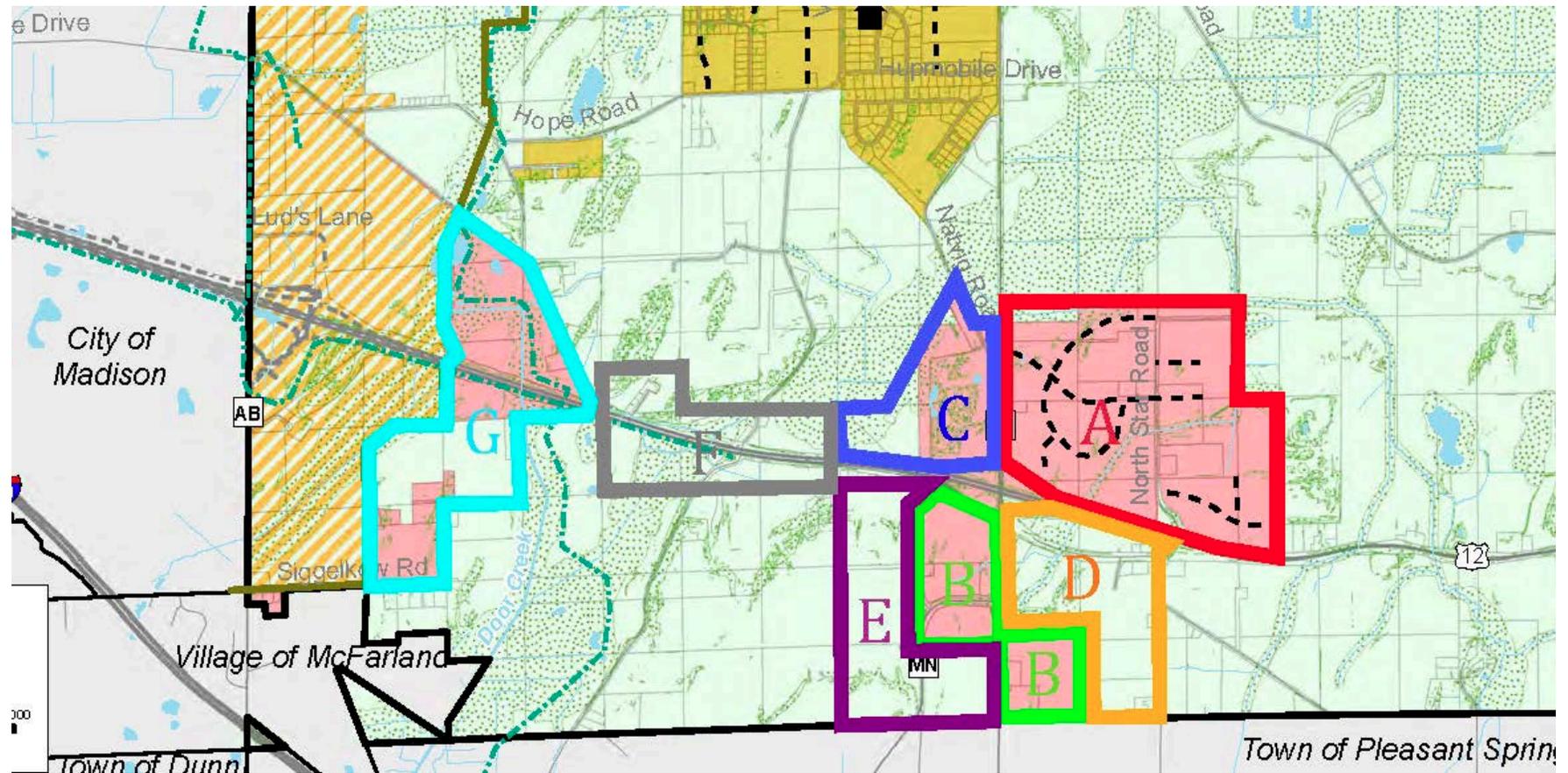
OCTOBER 2021

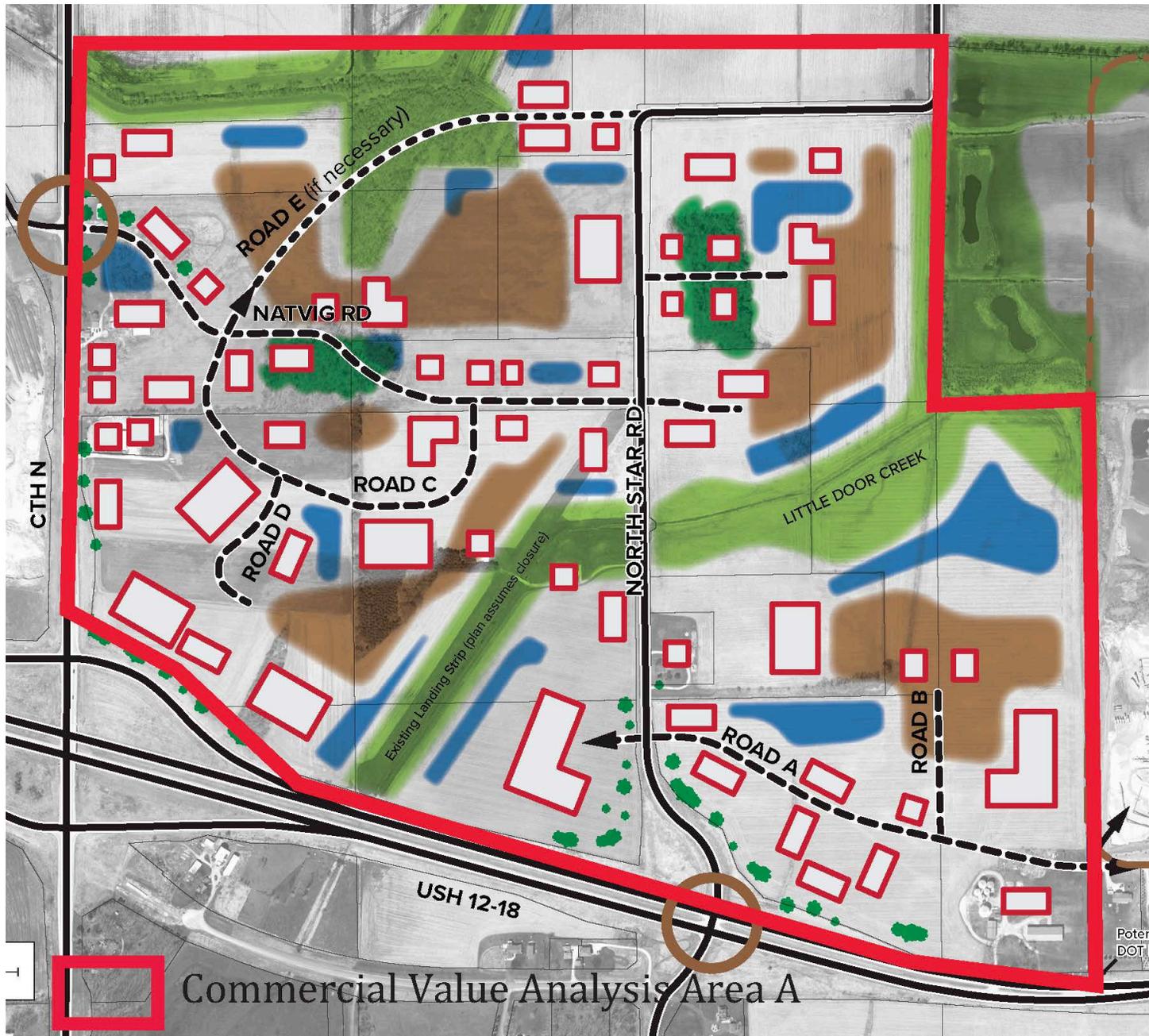


Exhibit 1: Analysis of Comparable Places/Municipalities with Business Parks Under Different Utility Scenarios

Comparable Business Park/Municipality	Public Sewer?	Public Water?	# Developed Parcels	Developed Acreage	Land Assessed Value	Improvement Assessed Value	Total Assessed Value	Total Value/Acre	Tax Incremental District?	Acres Dvlp 1990-2000	Acres Dvlp 2000-2010	Acres Dvlp 2010-2020	Acres/Year
Highway 12-18-N Interchange Area/Town of CG	N	N	7	52.77	\$ 1,226,300	\$ 4,292,500	\$ 5,518,800	\$ 104,584	N	2.6	2.4	47.75	1.76
Springfield Corners/Town of Springfield	N	N	78	57.48	\$ 4,508,700	\$ 12,472,900	\$ 16,981,600	\$ 295,435	N	18.9	24.5	14.1	1.92
Schneider Road/Highway 12/Town of Springfield	N	N	11	8.30	\$ 1,677,400	\$ 5,108,300	\$ 6,785,700	\$ 817,554	Y (Env. Rem.)	0	0	8.3	1.38
CTH N/Interstate interchange/Town of Pleasant Springs	N	N	11	31.08	\$ 2,947,800	\$ 6,563,300	\$ 9,511,100	\$ 306,004	N	10.8	2.8	0	0.68
Leeds-North Leeds Hamlets/Town of Leeds	N	N	7	42.02	\$ 367,900	\$ 1,868,000	\$ 2,235,921	\$ 53,211	N	0	6.5	14.41	1.05
Minnesota Junction Hamlet/Town of Oak Grove	N	N	6	31.24	\$ 346,000	\$ 2,523,300	\$ 2,869,300	\$ 91,847	N	0	0	12.36	1.24
NO PUBLIC SEWER, NO PUBLIC WATER TOTALS:	N	N	-	222.89	\$ 11,074,100	\$ 32,828,300	\$ 43,902,421	\$ 196,968	Generally No	32.3	36.2	96.92	1.34
Front Steet/Village of Sullivan	Y	N	11	15.26	\$ 493,500	\$ 1,241,200	\$ 1,734,700	\$ 113,676	N	0	1.2	1.55	0.14
Industrial Park/Town of Ixonia	Y	N	74	251.74	\$ 8,209,900	\$ 52,522,000	\$ 60,731,900	\$ 241,247	N	32.2	84.5	4.6	4.85
Blackhawk Drive/Village of Blue Mounds	Y	N	12	45.40	\$ 895,300	\$ 8,056,900	\$ 8,952,200	\$ 197,185	N	0	23.35	4.8	4.69
Interstate-Highway CS Interchange/Town of Dekorra	Y	N	9	53.13	\$ 3,114,900	\$ 9,643,200	\$ 12,758,100	\$ 240,143	N	0	14.2	19.6	1.69
HAS PUBLIC SEWER, NO PUBLIC WATER TOTALS:	Y	N	-	365.53	\$ 12,713,600	\$ 71,463,300	\$ 84,176,900	\$ 230,288	No	32.2	123.25	30.55	2.84
Village of Mazomanie Industrial Park	Y	Y	10	123.15	\$ 3,625,900	\$ 35,767,800	\$ 39,393,700	\$ 319,897	Y (Mixed Use)	8.2	66.4	0	4.66
Village of Cambridge Industrial Park	Y	Y	25	27.05	\$ 998,300	\$ 5,973,400	\$ 6,971,700	\$ 257,743	Y (Mixed Use)	23.9	13.2	0	1.86
Village of Deerfield Industrial Park	Y	Y	19	47.33	\$ 1,426,800	\$ 8,470,100	\$ 9,896,900	\$ 209,109	Y (now closed)	41.7	0	11.2	1.76
City of Milton Industrial Park	Y	Y	31	253.44	\$ 5,159,300	\$ 51,441,800	\$ 56,601,100	\$ 223,331	Y	33.34	113.21	35.04	6.05
Village of Fall River Industrial Park	Y	Y	26	150.32	\$ 2,697,300	\$ 40,373,900	\$ 43,071,200	\$ 286,530	Y (Mixed Use)	39.89	39.9	30.45	4.41
HAS BOTH PUBLIC SEWER AND PUBLIC WATER TOTALS:	Y	Y	-	601.28	\$ 13,907,600	\$ 142,027,000	\$ 155,934,600	\$ 259,336	Yes	147.03	232.71	76.69	3.75

Exhibit 3: Town of Cottage Grove Commercial Value Analysis Areas





MEMORANDUM

TO: Town of Cottage Grove, Wisconsin Chairman and Board
FROM: Joe Murray, Senior Municipal Advisor
DATE: May 11, 2023
SUBJECT: Potential Tax Increment District #1 Feasibility

Ehlers, as the Town's Municipal Advisor, was asked to evaluate the feasibility of the Town potentially creating a Tax Increment District (TID) to help facilitate development of a "Commercial Development Area" (CDA) along and near Highway 12/18. We have reviewed information regarding the development projections, cost estimates and other materials provided by the Town Planner, Mark Roffers.

Original thoughts were about the CDA containing 8 areas ("A-G"), but the initial TID (TID #1) would be primarily focused on only Areas A & B. Cost estimates and development projections for Area B quickly became too theoretical to realistically include in a TID to be created in the near future. The expectation that the TIDs for the CDA will be created as Industrial TIDs which have a maximum life of 20-years from creation. Development and projects for Area B were not expected until 2036, 12-years after the potential creation of TID #1, thus leaving a "life" of 8-years to recoup project costs. We recommend that the Town concentrate on the development in Area A, and if/when development becomes more likely in Area B (or any of the other areas) the Town consider creating new TIDs for the new development such that it can capture the full-life of the district.

Focusing on Area A there becomes two primary options – Option 1 to create a TID to facilitate the Huston development project, and Option 2 to create a TID to facilitate the Huston development project and development in the balance of Area A. The Town has a letter of intent dated March 22, 2023 with Huston to help facilitate the construction of a \$40,000,000 commercial building on approximately 36.4 acres of land owned by Skaar Pit LLC. The letter of intent calls for the construction of the building on or before December 31, 2025. Having the letter of intent provides the base development assumptions for Area A and Option 1 looks at helping facilitate the Huston development only.

The main obstacle to facilitating any development in the CDA is the absence of sanitary sewer. In order for the Town to create a TID the TID must have sanitary sewer service. The Town can create the TID to pay for the provision of sanitary sewer to the TID, but none of the buildings that would be constructed in the TID can be occupied until sanitary sewer service is available.

It is our understanding that the Town could possibly extend sanitary sewer service from a Madison Metropolitan Sewerage District (MMSD) main located approximately 3 miles away, near the Dane County Landfill. Preliminary cost estimates to extend service and install a lift station to serve Area A is \$3,500,000. Clearly such a large cost would be difficult for the Town to undertake without the creation of a TID.

To meet Huston’s proposed timeline, the Town will need to negotiate a service agreement with MMSD, engineer and construct the sewer improvements in 2024. As such, it is anticipated that the Town will need to create TID #1 early in 2024 to recoup the associated project costs.

Option 2 anticipates the Huston project being constructed in 2025 and the balance of Area A, approximately 264 acres, being developed over the entire life of the District. The Town Planner has projected that the acreage in Area A could be developed at approximately 9.5 acres/year at approximately \$232,000/acre. This would generate approximately \$2,204,000/year in incremental value over the life of TID, to add an additional \$44,000,000 in incremental value. Combined with the \$40,000,000 Huston development, Option 2 anticipates a total incremental value of approximately \$84,000,000.

Utilizing the Town’s 2022/23 Equalized Tax Rate of \$12.45/\$1,000 Equalized Value, the 2 sets of development assumptions generate very different incremental revenue projections. Option 1, only utilizing Huston’s \$40,000,000 is projected to generate \$9,463,938 in incremental revenue. Option 2 utilizing the full \$84,000,000 is projected to generate \$14,678,225 in incremental revenue.

The two Options also have different project cost projections. Option 1 is limited to project costs associated with serving the Huston Project. Provision of sewer service is projected to cost \$3,500,000 and intersection improvements at Highway N/Natvig Road are projected at \$600,000, requiring only \$4,100,000 in hard construction costs.

Option 2 includes the Option 1 costs and adds \$2,160,000 for additional sanitary sewer improvements to serve the balance of Area A, and \$1,200,000 to extend Natvig Road to North Star Road. Total hard construction costs for Option 2 are \$7,460,000.

To finance projects of either option Town would look to the issuance of a series of Bond Anticipation Notes (BANs) in 2024 for the Option 1 project costs, and then refunding the BANs with General Obligation (GO) Bonds in 2027 to refund the BANs. Option 2 would have the same combination of series, but the 2027 Bonds will include refunding the BANs and financing the additional construction and project costs for Option 2.

Structuring of the 2024 BANs would include financing 3-years’ worth of capitalized interest. For the Option 1 sizing, this will increase the size of the borrowing by \$648,000. For Option 2, the capitalized interest will increase the size of the borrowing by \$749,250. We strongly recommend that the Town include capitalized interest so that it provides time for construction and incremental revenues to be collected. It’s important to note, that development and construction in 2024 will not generate any incremental revenue until 2026. There is a 2-year “lag” in collections based on the State’s collecting taxes based on values as of January 1st the prior year in the next year.

If the Town were to not include capitalized interest it would be required to make the interest only payments in the first 3-years by placing it either on the entire Town tax base or by the Town “fronting” the money with fund balance and then paying itself back with TID incremental revenue over time. At roughly \$650,000 and \$750,000 respectively, that would be a significant drain on Town funds.

The BANs are projected at an interest rate of 4.50%. Rates remain volatile in current markets, but 4.50% should be conservative.

The Series 2027 GO bonds would be for an 18-year term to coincide with the maximum life of the District. The final maturity would be in 2045, the last year of incremental revenue. We've tried to be conservative with the 2027 Bonds having a 5.75% interest rate.

Based on the cost projections, development assumptions and incremental revenue projections, we project that Option 1 could support the \$8,865,376 in total project costs, cash flow and be able to close in 2043, 2-years prior to the 2045 mandatory closure. There is also projected cumulative fund balance in 2045 of \$1,134,674. This can provide more security to the Town in development doesn't occur as quickly as projected or at lower values.

Option 2 has \$14,764,005 in total projected project costs. The cash flow, however, is not as strong as Option 1. We project that Option 2 could cash flow, but it would require the full 20-year life and close in 2045. The cumulative projected fund balance at that time is also only \$663,470 so it is not as secure.

I must also highlight that the annual projected incremental revenue for Option 2 will not be enough on an annual basis to cover projected annual debt service payments until 2036. To make those annual debt service payments the Town would be required to either place the difference between the incremental revenue and the debt service payment amount on the entire Town tax base or front the funds from fund balance. The annual shortfall results in the cumulative fund balance in 2035 reaching approximately <\$750,000>. Again, this would be a large drain on the Town's financial position. The cash flow projects that the funds would be paid in full, but not until 2043.

The attached pages include Option 1 and Option 2's:

- Project Cost Projections
- Development Assumptions
- Incremental Revenue Projections
- Financing Plans; and
- Cash Flow Projections

A few other comments/concerns.

- Huston's value projection of \$40,000,000 - This sounds like a very optimistic value. It's my understanding that the building will be warehouse and showroom. I am concerned that the \$40,000,000 projection includes personal property items that will be the building, and not the taxable value of the building and property. If the \$40,000,000 includes personal property the Town must be aware that the State is continuing to consider eliminating personal property tax from the tax rolls. A bill has already been proposed in the legislature for this year. If the value is reduced by removing personal property tax revenue then the cash flows can be negatively impacted. Thus, if incremental revenues do not cover the annual debt service payments the Town will be obligated to make the payments in another manner (placing on entire Town tax base or internal loans).

- Utilize an experienced development attorney – I do not know who serves as the Town Attorney, but please make sure that they are experienced and comfortable writing strong development agreements to protect the Town’s interest as much as possible. The Huston development agreement should seek to have items such as:
 - Guaranteed incremental value in terms of amounts (\$) and timing,
 - Payment-in-lieu-of Taxes (PILOT) payments to the Town if incremental revenues fall short, such that the supplemental PILOT payment would cover the Town’s annual debt service,
 - Etc.,

All aspects of a development agreement are subject to negotiation, but an experienced development attorney can help lead the Town through the process.

- Start small – The creation of a TID, the large project costs to provide sanitary sewer to the area, and uncertainty of the economy and development, I would suggest that the Town “start small” and pursue Option 1 and “landing” the Huston development project. If things move well and more development is eminent, the Town could still proceed in 2027 for the Option 2 projects.

I plan to be in attendance (in person or virtually) for the Town Board’s meeting on May 15th and will be happy to answer any questions you may have.

Attachments

Cc with Attachments

- Kim Banigan, Town Clerk
- Mark Roffers, Town Planner
- Jon Cameron, Senior Municipal Advisor, Ehlers

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Estimated Project List

Project ID	Project Name/Type	Phase I 2024	Total (Note 1)
1	Sanitary Sewer to Interchange Area, Including Lift Station	3,500,000	3,500,000
2	Sanitary Sewer to Northern Part of North Star Road Corridor - Area A		0
3	Build HWY N/Natvig Road Intersection	600,000	600,000
4	Sanitary Sewer to South Part of North Star Road Corridor - Area A		0
5	Capitalized Interest	648,000	648,000
6	Sanitary Sewer In-between Sites - Area A		0
7	Extend Natvig Road to North Star Road		0
8	Sanitary Sewer - Southeast Corner of Area A Sanitary Sewer to South of HWY 12/18 - Area B		0
9	Area B		0
10	Cost of Debt Issuance	191,338	191,338
11	Interest Expense	3,786,039	3,786,039
12	Administration (2024-2045)	140,000	140,000
Total Projects		8,865,376	8,865,376

Notes:

- Note 1** Project costs are estimates and are subject to modification
 Project costs based on 2022 estimates, provided 4/10/23
 Assumes Area A improvements for Huston only
 Cost of Debt Issuance includes the Series 2023A BANs and 2027 GO Bonds
 Interest Expense includes the Series 2023A BANs and 2027 GO Bonds

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Development Assumptions

Construction Year		Huston Project	Annual Total	Construction Year	
1	2024		0	2024	1
2	2025	40,000,000	40,000,000	2025	2
3	2026		0	2026	3
4	2027		0	2027	4
5	2028		0	2028	5
6	2029		0	2029	6
7	2030		0	2030	7
8	2031		0	2031	8
9	2032		0	2032	9
10	2033		0	2033	10
11	2034		0	2034	11
12	2035		0	2035	12
13	2036		0	2036	13
14	2037		0	2037	14
15	2038		0	2038	15
16	2039		0	2039	16
17	2040		0	2040	17
18	2041		0	2041	18
19	2042		0	2042	19
Totals		<u>40,000,000</u>	<u>40,000,000</u>		

Notes:

Assumes Huston building only

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Tax Increment Projection Worksheet

Type of District	Mixed Use	Base Value	0	Apply to Base Value
District Creation Date	January 1, 2024	Appreciation Factor	0.00%	
Valuation Date	Jan 1, 2024	2022 Base Equalized Tax Rate	\$12.45	
Max Life (Years)	20	Rate Adjustment Factor		
Expenditure Period/Termination	15 1/1/2039	Tax Exempt Discount Rate		
Revenue Periods/Final Year	20 2045	Taxable Discount Rate	1.50%	
Extension Eligibility/Years	Yes 3			
Eligible Recipient District	No			

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt	Taxable NPV
								NPV Calculation	Calculation
1	2024	0	2025	0	0	2026	\$12.45	0	0
2	2025	40,000,000	2026	0	40,000,000	2027	\$12.45	498,102	469,304
3	2026	0	2027	0	40,000,000	2028	\$12.45	498,102	931,672
4	2027	0	2028	0	40,000,000	2029	\$12.45	498,102	1,387,207
5	2028	0	2029	0	40,000,000	2030	\$12.45	498,102	1,836,011
6	2029	0	2030	0	40,000,000	2031	\$12.45	498,102	2,278,181
7	2030	0	2031	0	40,000,000	2032	\$12.45	498,102	2,713,818
8	2031	0	2032	0	40,000,000	2033	\$12.45	498,102	3,143,016
9	2032	0	2033	0	40,000,000	2034	\$12.45	498,102	3,565,871
10	2033	0	2034	0	40,000,000	2035	\$12.45	498,102	3,982,477
11	2034	0	2035	0	40,000,000	2036	\$12.45	498,102	4,392,927
12	2035	0	2036	0	40,000,000	2037	\$12.45	498,102	4,797,311
13	2036	0	2037	0	40,000,000	2038	\$12.45	498,102	5,195,718
14	2037	0	2038	0	40,000,000	2039	\$12.45	498,102	5,588,238
15	2038	0	2039	0	40,000,000	2040	\$12.45	498,102	5,974,957
16	2039	0	2040	0	40,000,000	2041	\$12.45	498,102	6,355,961
17	2040	0	2041	0	40,000,000	2042	\$12.45	498,102	6,731,334
18	2041	0	2042	0	40,000,000	2043	\$12.45	498,102	7,101,160
19	2042	0	2043	0	40,000,000	2044	\$12.45	498,102	7,465,521
20	2043	0	2044	0	40,000,000	2045	\$12.45	498,102	7,824,497
Totals		40,000,000		0		Future Value of Increment	9,463,938		

Notes:

Actual results will vary depending on development, inflation of overall tax rates.
 NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Estimated Financing Plan

	Bond Anticipation Note 2024	G.O. Refunding Bonds 2027	Totals
Projects			
Phase I - Area A	4,100,000	4,800,000	8,900,000
Total Project Funds	<u>4,100,000</u>	<u>4,800,000</u>	<u>8,900,000</u>
Estimated Finance Related Expenses			
Municipal Advisor	25,000	27,500	
Bond Counsel	20,000	22,000	
Rating Agency Fee			
Paying Agent	850	950	
Underwriter Discount	7.00 33,600	12.50 61,438	
Capitalized Interest	648,000		
Total Financing Required	4,827,450	4,911,888	
Estimated Interest	1.50%	(30,750) 1.00%	0
Cost of Debt Issuance includes the Series :	6	0	
Rounding	3,300	3,113	
Net Issue Size	4,800,000	4,915,000	9,715,000

Notes:

Assumes constructing Area A improvements for Huston only

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 1 - Huston Only

Cash Flow Projection

Year	Projected Revenues			Expenditures										Balances			Year	
	Tax Increments	Debt Proceeds	Total Revenues	4,800,000 Bond Anticipation Notes Dated Date: 03/01/24			4,915,000 G.O. Refunding Bonds Dated Date: 02/01/27			Sewer Improvements	Street Improvements	Cost of Issuance	Admin.	Total Expenditures	Annual	Cumulative		Principal Outstanding
2024		4,800,000	4,800,000	3/1	4.50%	108,000	3/1	5.75%		3,500,000	600,000	191,338	30,000	4,429,338	370,663	370,663	4,800,000	2024
2025			0			216,000							5,000	221,000	(221,000)	149,663	4,800,000	2025
2026	0		0			216,000							5,000	221,000	(221,000)	(71,338)	4,800,000	2026
2027	498,102	4,915,000	5,413,102	4,800,000	4.50%	108,000			164,857			111,888	5,000	5,189,745	223,357	152,020	4,915,000	2027
2028	498,102		498,102				160,000	5.75%	278,013				5,000	443,013	55,089	207,109	4,755,000	2028
2029	498,102		498,102				170,000	5.75%	268,525				5,000	443,525	54,577	261,686	4,585,000	2029
2030	498,102		498,102				180,000	5.75%	258,463				5,000	443,463	54,639	316,326	4,405,000	2030
2031	498,102		498,102				190,000	5.75%	247,825				5,000	442,825	55,277	371,603	4,215,000	2031
2032	498,102		498,102				200,000	5.75%	236,613				5,000	441,613	56,489	428,092	4,015,000	2032
2033	498,102		498,102				215,000	5.75%	224,681				5,000	444,681	53,421	481,513	3,800,000	2033
2034	498,102		498,102				225,000	5.75%	212,031				5,000	442,031	56,071	537,584	3,575,000	2034
2035	498,102		498,102				240,000	5.75%	198,663				5,000	443,663	54,439	592,023	3,335,000	2035
2036	498,102		498,102				255,000	5.75%	184,431				5,000	444,431	53,671	645,694	3,080,000	2036
2037	498,102		498,102				270,000	5.75%	169,338				5,000	444,338	53,764	699,458	2,810,000	2037
2038	498,102		498,102				285,000	5.75%	153,381				5,000	443,381	54,721	754,179	2,525,000	2038
2039	498,102		498,102				300,000	5.75%	136,563				5,000	441,563	56,539	810,719	2,225,000	2039
2040	498,102		498,102				320,000	5.75%	118,738				5,000	443,738	54,364	865,083	1,905,000	2040
2041	498,102		498,102				340,000	5.75%	99,763				5,000	444,763	53,339	918,423	1,565,000	2041
2042	498,102		498,102				360,000	5.75%	79,638				5,000	444,638	53,464	971,887	1,205,000	2042
2043	498,102		498,102				380,000	5.75%	58,363				5,000	443,363	54,739	1,026,627	825,000	2043
2044	498,102		498,102				400,000	5.75%	35,938				5,000	440,938	57,164	1,083,791	425,000	2044
2045	498,102		498,102				425,000	5.75%	12,219				10,000	447,219	50,883	1,134,674	0	2045
Total	9,463,938	9,715,000	19,178,938	4,800,000		648,000	4,915,000		3,138,039	3,500,000	600,000	303,225	140,000	18,044,264				Total

Notes:
Assumes constructing Area A improvements for Huston only

Projected TID Closure

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Estimated Project List

Project ID	Project Name/Type	Phase I 2024	Phase II 2027	Total (Note 1)
1	Sanitary Sewer to Interchange Area, Including Lift Station	3,500,000		3,500,000
2	Sanitary Sewer to Northern Part of North Star Road Corridor - Area A	650,000		650,000
3	Build HWY N/Natvig Road Intersection	600,000		600,000
4	Sanitary Sewer to South Part of North Star Road Corridor - Area A		760,000	760,000
5	Capitalized Interest	749,250		749,250
6	Sanitary Sewer In-between Sites - Area A		360,000	360,000
7	Extend Natvig Road to North Star Road		1,200,000	1,200,000
8	Sanitary Sewer - Southeast Corner of Area A		390,000	390,000
9	Sanitary Sewer to South of HWY 12/18 - Area B			0
10	Cost of Debt Issuance	84,700	192,888	277,588
11	Interest Expense	749,250	5,387,918	6,137,168
12	Administration (2024-2045)	140,000		140,000
Total Projects		6,473,200	8,290,805	14,764,005

Notes:

- Note 1 Project costs are estimates and are subject to modification
- Project costs based on 2022 estimates, provided 4/10/23
- Project costs for Area A only - None for Area B
- Cost of Debt Issuance includes the Series 2023A BANs and 2027 GO Bonds
- Interest Expense includes the Series 2023A BANs and 2027 GO Bonds

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Development Assumptions

Construction Year		Huston Project	Area A Balance	Annual Total	Construction Year	
1	2024	0	2,203,855	2,203,855	2024	1
2	2025	40,000,000	2,203,855	42,203,855	2025	2
3	2026		2,203,855	2,203,855	2026	3
4	2027		2,203,855	2,203,855	2027	4
5	2028		2,203,855	2,203,855	2028	5
6	2029		2,203,855	2,203,855	2029	6
7	2030		2,203,855	2,203,855	2030	7
8	2031		2,203,855	2,203,855	2031	8
9	2032		2,203,856	2,203,856	2032	9
10	2033		2,203,855	2,203,855	2033	10
11	2034		2,203,855	2,203,855	2034	11
12	2035		2,203,855	2,203,855	2035	12
13	2036		2,203,855	2,203,855	2036	13
14	2037		2,203,855	2,203,855	2037	14
15	2038		2,203,855	2,203,855	2038	15
16	2039		2,203,855	2,203,855	2039	16
17	2040		2,203,855	2,203,855	2040	17
18	2041		2,203,855	2,203,855	2041	18
19	2042		2,203,855	2,203,855	2042	19
20	2043		2,203,855	2,203,855	2043	20
Totals		<u>40,000,000</u>	<u>44,077,101</u>	<u>84,077,101</u>		

Notes:

- Assumes Huston project built in 2025
- Assumes 264 Balance Acres (after Huston) in Area A to be developed at rate of 9.5 acres/year at \$231,985/acre - Planner Projection - 1/12/23 Analysis

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Tax Increment Projection Worksheet

Type of District	Mixed Use	Base Value	0	Apply to Base Value
District Creation Date	January 1, 2024	Appreciation Factor	0.00%	
Valuation Date	Jan 1, 2024	2022 Base Equalized Tax Rate	\$12.45	
Max Life (Years)	20	Rate Adjustment Factor		
Expenditure Period/Termination	15 1/1/2039	Tax Exempt Discount Rate		
Revenue Periods/Final Year	20 2045	Taxable Discount Rate	1.50%	
Extension Eligibility/Years	Yes 3			
Eligible Recipient District	No			

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt	Taxable NPV
								NPV Calculation	Calculation
1	2024	0	2025	0	2026	\$12.45	0	0	0
2	2025	42,203,855	2026	0	42,203,855	2027	\$12.45	525,546	495,161
3	2026	2,203,855	2027	0	44,407,710	2028	\$12.45	552,989	1,078,535
4	2027	2,203,855	2028	0	46,611,565	2029	\$12.45	580,433	1,658,968
5	2028	2,203,855	2029	0	48,815,420	2030	\$12.45	607,876	2,266,844
6	2029	2,203,855	2030	0	51,019,275	2031	\$12.45	635,320	2,902,164
7	2030	2,203,855	2031	0	53,223,130	2032	\$12.45	662,764	3,564,928
8	2031	2,203,855	2032	0	55,426,985	2033	\$12.45	690,207	4,255,135
9	2032	2,203,856	2033	0	57,630,841	2034	\$12.45	717,651	4,972,786
10	2033	2,203,855	2034	0	59,834,696	2035	\$12.45	745,095	5,717,881
11	2034	2,203,855	2035	0	62,038,551	2036	\$12.45	772,538	6,490,419
12	2035	2,203,855	2036	0	64,242,406	2037	\$12.45	799,982	7,290,401
13	2036	2,203,855	2037	0	66,446,261	2038	\$12.45	827,425	8,117,826
14	2037	2,203,855	2038	0	68,650,116	2039	\$12.45	854,869	8,972,695
15	2038	2,203,855	2039	0	70,853,971	2040	\$12.45	882,313	9,855,008
16	2039	2,203,855	2040	0	73,057,826	2041	\$12.45	909,756	10,764,764
17	2040	2,203,855	2041	0	75,261,681	2042	\$12.45	937,200	11,701,964
18	2041	2,203,855	2042	0	77,465,536	2043	\$12.45	964,643	12,666,607
19	2042	2,203,855	2043	0	79,669,391	2044	\$12.45	992,087	13,658,694
20	2043	2,203,855	2044	0	81,873,246	2045	\$12.45	1,019,531	14,678,225
Totals		81,873,246		0		Future Value of Increment	14,678,225		

Notes:

- Actual results will vary depending on development, inflation of overall tax rates.
- NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).
- Assumes Huston Project and balance of Area A developed at 9.5 acres/year

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Estimated Financing Plan

	Bond Anticipation Note 2024	G.O. Bond 2027	Totals
Projects			
Phase I - Area A	4,750,000		4,750,000
Phase I - Area A Refunding		5,550,000	5,550,000
Phase II - Area A Balance		2,710,000	2,710,000
Total Project Funds	4,750,000	8,260,000	13,010,000
Estimated Finance Related Expenses			
Municipal Advisor	25,000	46,500	
Bond Counsel	20,000	40,000	
Rating Agency Fee			
Paying Agent	850	950	
Underwriter Discount	7.00 38,850	12.50 105,438	
Capitalized Interest	749,250		
Total Financing Required	5,583,950	8,452,888	
Estimated Interest	1.50% (35,625)	1.50% (20,325)	
Assumed spend down (months)	6	6	
Rounding	1,675	2,438	
Net Issue Size	5,550,000	8,435,000	13,985,000

Notes:

2027 GO Bonds anticipate refunding the 2023A BANS and financing the balance of projects for Area A

Town of Cottage Grove, Wisconsin

Tax Increment District #1 - Option 2 - All Area A

Cash Flow Projection

Year	Projected Revenues				Expenditures										Balances			Year	
	Tax Increments	Interest Earnings/ (Cost)	Debt Proceeds	Total Revenues	5,550,000 Bond Anticipation Notes Dated Date: 03/01/24			G.O. Bond 8,435,000 Dated Date: 02/01/27			Sewer Improvements	Street Improvements	Cost of Issuance	Admin.	Total Expenditures	Annual	Cumulative		Principal Outstanding
					Principal	Est. Rate	Interest	Principal	Est. Rate	Interest									
2024			5,550,000	5,550,000	3/1	4.50%	124,875	3/1	5.75%						4,989,575	560,425	560,425	5,550,000	2024
2025				0			249,750							5,000	254,750	(254,750)	305,675	5,550,000	2025
2026	0			0			249,750							5,000	254,750	(254,750)	50,925	5,550,000	2026
2027	525,546		8,435,000	8,960,546	5,550,000	4.50%	124,875			282,924	1,510,000	1,200,000	192,888	5,000	8,865,686	94,859	145,784	8,435,000	2027
2028	552,989			552,989				275,000	5.75%	477,106				5,000	757,106	(204,117)	(58,333)	8,160,000	2028
2029	580,433			580,433				290,000	5.75%	460,863				5,000	755,863	(175,430)	(233,763)	7,870,000	2029
2030	607,876			607,876				310,000	5.75%	443,613				5,000	758,613	(150,736)	(384,499)	7,560,000	2030
2031	635,320			635,320				325,000	5.75%	425,356				5,000	755,356	(120,036)	(504,535)	7,235,000	2031
2032	662,764			662,764				350,000	5.75%	405,950				5,000	760,950	(98,186)	(602,721)	6,885,000	2032
2033	690,207			690,207				365,000	5.75%	385,394				5,000	755,394	(65,186)	(667,908)	6,520,000	2033
2034	717,651			717,651				385,000	5.75%	363,831				5,000	753,831	(36,180)	(704,088)	6,135,000	2034
2035	745,095			745,095				410,000	5.75%	340,975				5,000	755,975	(10,880)	(714,968)	5,725,000	2035
2036	772,538			772,538				435,000	5.75%	316,681				5,000	756,681	15,857	(699,111)	5,290,000	2036
2037	799,982			799,982				460,000	5.75%	290,950				5,000	755,950	44,032	(655,080)	4,830,000	2037
2038	827,425			827,425				490,000	5.75%	263,638				5,000	758,638	68,788	(586,292)	4,340,000	2038
2039	854,869			854,869				520,000	5.75%	234,600				5,000	759,600	95,269	(491,023)	3,820,000	2039
2040	882,313			882,313				550,000	5.75%	203,838				5,000	758,838	123,475	(367,548)	3,270,000	2040
2041	909,756			909,756				580,000	5.75%	171,350				5,000	756,350	153,406	(214,141)	2,690,000	2041
2042	937,200			937,200				615,000	5.75%	136,994				5,000	756,994	180,206	(33,935)	2,075,000	2042
2043	964,643			964,643				650,000	5.75%	100,625				5,000	755,625	209,018	175,083	1,425,000	2043
2044	992,087			992,087				690,000	5.75%	62,100				5,000	757,100	234,987	410,070	735,000	2044
2045	1,019,531			1,019,531				735,000	5.75%	21,131				10,000	766,131	253,399	663,470	0	2045
Total	14,678,225	0	13,985,000	28,663,225	5,550,000		749,250	8,435,000		5,387,918	5,660,000	1,800,000	277,588	140,000	27,999,755				Total

Notes:

Projected TID Closure

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Ordinance 2023-07-17a adopting Revisions to 08.03 Right-of-Way Permits

Code Section(s) created, amended, or repealed	<u>08.03</u>
Presented to Board by	<u>Town Attorney, Town Clerk</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>June 19, 2023</u>
Date adopted	<u>July 17, 2023</u>
Vote	<u>5-0</u>
Date of posting of adoption of ordinance	<u>July 18, 2023</u>
Date of publication of adoption of ordinance	<u>Not required</u>

The Town Board of the Town of Cottage Grove does ordain as follows:
TCG Ord. Section 08.03 Right-of-Way Permits is hereby amended to read as follows:

08.03 RIGHT OF WAY PERMITS

(1) APPLICATION AND APPROVAL REQUIRED

(a) No person shall make any excavation or fill or install any culvert or make any other alteration in, under or through any Town highway, roadway, or right-of-way, or install any infrastructure in, under or through any Town highway, roadway, or right-of-way, or in any manner disturb any Town right-of-way, highway, roadway, or bridge without applying for and receiving a permit from the Highway Superintendent.

(b) The Highway Superintendent shall report approvals of right-of-way permits and any denials of right-of-way permits to the Town Board. Applications shall be made using a form approved by the Highway Superintendent and the Town Board. The application shall include Exhibit A Right-of-Way Fees, Deposits and Standards, a copy of which is attached hereto and incorporated by reference.

(c) The Highway Superintendent shall have the authority to approve the location and specifications of any alterations to Town highways, roadways, and rights-of-way. Additional conditions shall be considered and may be incorporated in the right-of-way permit, as determined by the Highway Superintendent and/or Town Board.

1. Where prudent or necessary, the Town may require review and input from the Town Engineer. Fees associated with such review shall be paid by the applicant, as set forth in Exhibit A.

(d) Any person granted a right-of-way permit ("Permit Holder") has the duty to restore any areas excavated, altered, disturbed or in any way modified by Permit Holder's work to a condition as good as or better than existed prior to said work. The Permit Holder shall notify the Town Highway Superintendent upon completion of its work in Town highways, roadways, and rights-of-way. Upon receipt of notice of completion, the Highway Superintendent or the Town Engineer shall inspect area disturbed and approve the Permit Holder's restoration thereof if restored to a condition as good as or better than existed prior to the work. If a Permit Holder fails to restore Town highways, roadways, or rights-of-way as required pursuant to this subdivision within five (5) days of the completion of the work or if the Permit Holder's restoration was not approved by the Highway Superintendent or Town Engineer, the Town may cause such restoration to occur and use the Permit Holder's deposit to pay for any costs incurred by the Town to restore Town highways, roadways, and rights-of-way.

(d)(e) As a condition of permit approval, the Town shall require and the applicant shall provide the following:

1. Permit Fee. Payment of the permit fee(s) is required prior to commencement of work to reimburse the town for costs incurred by the town in reviewing, inspecting, and monitoring work in Town highways, roadways, and rights-of-way. Current fees and standards for such work are set forth on Exhibit A, which is attached hereto and incorporated by reference. The fee amounts set forth on Exhibit A may be amended by resolution of the Town Board.
2. Deposit. A deposit to ensure proper construction, completion of work, restoration and absence of damages to Town highways, roadways, and rights-of-ways. The deposit shall be for 120% of the total amount of the estimated cost to restore the Town highway, roadway, or right-of-way to be disturbed to a condition as good as existed prior to the applicant's work, as such total amount is determined by either the Highway Superintendent or the Town Engineer. The applicant's deposit shall be in the form of i) an irrevocable letter of credit in a form acceptable to the Town; ii) cash; iii) certified or cashier's check. Upon completion of the work, restoration of any areas disturbed, and inspection approval by the Highway Superintendent or Town Engineer, the Town shall refund the deposit in a timely manner, less any damage, repair, completion, or excess inspection costs. The deposit amounts shall be determined on an application-by-application basis, as set forth on Exhibit A. The deposit amounts may be amended by resolution of the Town Board.
3. Restoration. In the event the Town is required to restore or repair damages any highway, roadway or right-of-way and the work undertaken by the Town exceeds the amount of the deposit, the applicant shall be invoiced for the excess amount in excess of its deposit and shall pay the invoice in full within 30 days of receipt of the invoice. Interest shall accrue on all delinquent amounts at the rate of 1 ½ percent per month. In the event the Town commences litigation to recover any delinquent amounts, the applicant shall be responsible for all litigation costs incurred by the Town, including reasonable attorney fees.
- 4.3. Insurance. A certificate of insurance naming the town as an insured and holding the Town free from all liability by reason of injury to third persons or property, and to pay any and all damages and costs arising from work in the Town highways, roadways, or rights-of-way.

(2) DAMAGE TO TOWN RIGHT-OF-WAY; PENALTY FOR VIOLATION

(a) Any damage caused to Town property and/or right-of-way due to any work done under a right-of-way permit is the responsibility of the ~~permit~~ Permit holder ~~Holder~~.

(b) Violations of this ordinance shall be punishable as Class C forfeitures, under TCG § 25.04.

(3) EFFECTIVE DATE

(a) The original ordinance was adopted on June 19, 2000. The ordinance was amended on May 2, 2016.

(b) The ordinance, as amended, shall take effect upon passage and publication as required by law.

**EXHIBIT A
TO TOWN OF COTTAGE GROVE ORDINANCE § 8.03
RIGHT-OF-WAY PERMIT FEES, DEPOSITS AND STANDARDS**

CALCULATION OF PERMIT FEES:	QUANTITY @ \$ PER	AMOUNT
<u>A base fee for permit to work in Town road right-of-way is to be paid per permit prior to commencement of work.</u>	_____ @ \$55	\$ _____
<u>Borings, trenching (small trenching projects) or plowing fees apply to all borings, whether under the Town roadway or parallel to the Town road (such as a boring in the drainage ditch). The Town will need to review and monitor all boring, trenching or plowing to determine that the proposed location(s) are the best available locations in terms of the public interest in the project.</u>	_____ @ \$45 per boring/trenching/plowing	\$ _____
<u>An open cut pavement fee applies any time roadway pavement is impacted. If the opening is not large enough for a roller compactor to be used, then a Type II patch shall be applied. (Type II patch detail drawings are available from the Town.) If the Applicant wishes to use an alternate patch type, the alternate must be approved by the Town Engineer. The Applicant shall pay the costs incurred for the Town Engineer's review of patches other than the Type II patch.</u>	_____ @ \$220 per open cut	\$ _____
<u>A trenching fee is required for any trench in excess of 1,320 feet (large trenching projects)</u>	_____ @ \$110 X # of lineal feet/1,000	\$ _____
<u>A construction of vault or other structure fee is required for vaults or other structures placed in the right-of-way. It does not apply to utility pedestals that are not installed on a concrete base. All structures should be placed at the right-of-way line and/or adjacent to existing structures.</u>	_____ @ \$110 per vault/structure	\$ _____
Subtotal		\$ _____
For use by Permitting Authority Only		
<u>Engineering fees: -When Town Engineer review is needed, as requested by the Highway Superintendent, and approved by either the Town Board or the Town Chair, the Applicant shall pay all such fees incurred within 30 days of the invoice to the Applicant. Prepayment may be required in an amount and as determined by the Town Clerk-, following consultation with the Town Chair.</u>	All fees incurred by Town; prepayment of estimate may be required. Actual amount will be billed to the applicant if it exceeds the estimate, any excess deposit will be refunded	Pre-payment required \$ _____
<u>DEPOSIT (cash, irrevocable letter of credit, or certified or cashier's check) TO ASSURE PROPER CONSTRUCTION, COMPLETION, RESTORATION AND ABSENCE OF DAMAGES (see TCG s. 08.03(1)(e)2)</u>		\$ _____
TOTAL FEES AND DEPOSIT DUE PRIOR TO COMMENCEMENT OF WORK		\$ _____
<u>Notes regarding restoration: All affected areas must be restored to a condition as good or better than existed prior to disruption. Restoration of trench walls shall be sloped (rather than vertical) and trench compaction shall be as good as prior to disruption. The Permit Holder shall re-use native fill materials below the pavement to the full extent possible to avoid possible differential frost heave. The Permit Holder shall notify the Highway Superintendent upon completion of work. If restoration is not complete to the satisfaction to the Highway Superintendent or Town Engineer within 5 days of the completion of work, the Town may cause such restoration to occur and use the Permit Holder's deposit to pay for any costs incurred by the Town to complete the restoration.</u>		

NOTES REGARDING FEES, DEPOSITS AND STANDARDS:

1. **Permit to work in Town right-of-way:** The fee in subsection a. above is required for all permits, and is to be paid per permit prior to commencement of work. Additional fees may be required as set forth in b. to f., and a deposit shall be required to assure completion of work to town standards.
2. **Borings, Trenching or Plowing:** This fee applies to all borings, whether under the town roadway or parallel to the town road (such as a boring in the drainage ditch). The Town will need to review and monitor all boring, trenching or plowing to determine that the proposed location(s) are the best available locations in terms of the public interest in the project. The public interest includes issues such as impact on Town road structure, future drainage ditch cleaning and so forth.
3. **Open Cut Pavement:** This fee applies any time roadway pavement is impacted. If the opening is not large enough for a roller compactor to be used, then a Type II patch. The Type II patch requires a 7-inch-thick / high early strength concrete layer beneath the asphalt. (Type II patch detail drawings are available from the Town.) If the Applicant wishes to use an alternate patch type, the alternate must be approved by the Town Engineer. The Applicant shall pay the costs incurred for the Town Engineer's review of patches other than the Type II patch.
4. **Construction of Vault or Other Structure:** This fee applies to all vaults or other structures placed in the right of way. It does not apply to utility pedestals that are not installed on a concrete base.
5. **Restoration:** Where open cuts occur or restoration is required, restoration of trench walls shall be sloped (rather than vertical) and trench compaction shall be as good as prior to disruption. The Applicant shall use native fill materials below the pavement to the full extent possible to avoid possible differential frost heave.
- 6.1. **Engineering fees:** Where Town Engineer review is needed, as requested by the Highway Superintendent, and approved by either the Town Board or the Town Chair, the Applicant shall pay all such fees incurred within 30 days of the invoice to the Applicant. Prepayment may be required in an amount and as determined by the Town Clerk and/or Town Treasurer, following consultation with the Town Chair.

Adopted this 17th day of July, 2023 by a vote of 5 in favor, 0 against and 0 abstaining.


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk-Treasurer

AFFIDAVIT OF POSTING OF TOWN OF COTTAGE GROVE ORDINANCE

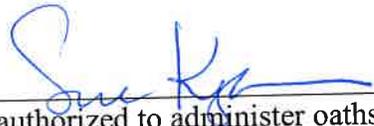
STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, Kim Banigan, Cottage Grove Town Clerk-Treasurer, being first duly sworn, on oath, state as follows: On July 18, 2023 the above resolution was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG §25.01(4) and Wis. Stats., §60.80.



Kim Banigan, Town Clerk-Treasurer

Subscribed and sworn to before me this 18th day of July, 2023.



(Signature of person authorized to administer oaths)

My commission expires _____, or is permanent

Notary Public, or Deputy Clerk
Official title, if not a notary)

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN
Adopted Pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: ORDINANCE 2023-07-17b AMENDING SECTIONS 11.05, 11.09, 11.10

Code Section(s) created, amended, or repealed:	<u>11.05, 11.09, 11.10</u>
Presented to Board by	<u>Town Attorney</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>July 17, 2023</u>
Date Adopted	<u>July 17, 2023</u>
Vote	<u>5-0</u>
Date of posting of adoption of ordinance	<u>July 18, 2023</u>
Date of publication of adoption of ordinance	<u>Not Required</u>

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

Section 1. TCG Ord. Section 11.05(1)-(2) is hereby amended as follows:

11.05 CONTROL OF NOXIOUS AND NUISANCE WEEDS

(1) DEFINITIONS

(a) "Noxious weeds" means the following: Canada thistle, leafy spurge, field bindweed (creeping Jenny), cannabis (marijuana/hemp), and any other such weeds as may be specified in § 66.0407(1)(b), Stats.

(1) "Noxious weeds" shall also include, when present on parcels zoned for residential use or located in a platted subdivision, any grasses kept as a residential lawn that exceeds 6 inches in length.

(b) "Nuisance weeds" means any non-native member of the genus Lythrum (purple loosestrife) or hybrids thereof, or multiflora rose.

(c) "Weed Commissioner" means the person designated by the Town Chair, under § 66.0517 Wis. Stats.; having the duties and powers specified in (2)(c) and (2)(d), and § 66.0517 Wis. Stats.

(2) WEED COMMISSIONER

(c) The Weed Commissioner shall review any claim that a growth of nuisance weeds has become a public nuisance, *and if determined to constitute a public nuisance, shall* take action to ensure that the nuisance is abated. The control of nuisance weeds, *if determined to be a public nuisance,* shall follow the procedure for the destruction of noxious weeds, described in § 66.0517 Wis. Stats.

(1) When the noxious weed in question includes grass kept as a residential lawn, the Weed Commissioner may, in lieu of destruction, punish a violation of this ordinance by imposing a Class D forfeiture pursuant to § 25.04.

Section 2. TCG Ord. Section 11.09(6) is hereby amended as follows:

11.09 PROPERTY MAINTENANCE

- (6) PROPERTY MAINTENANCE RESPONSIBILITIES OF OWNERS, OPERATORS AND OCCUPANTS.

(n) No owner of property zoned for residential use or located in a platted subdivision shall allow grasses kept as a residential lawn to exceed 6 inches in length.

Section 3. TCG Ord. Section 11.10 is hereby amended as follows:

11.10 ENFORCEMENT AND PENALTIES

- (2) NON COMPLIANCE – REMEDY OF DEFECTS; ABATEMENT.

- (b) Nonsummary abatement

1. Order to abate nuisance. If the Town Building Inspector determines that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten imminent danger to the public health, safety, peace, morals or decency, he/she shall issue an order reciting the existence of a public nuisance and requiring the owner or occupant of the premises to remove or abate the condition described in the order within the time period specified therein. The order shall be served personally on the owner of the building as well as the occupant, if different from the owner and applicable to the described nuisance, or at the option of the Town Building Inspector, the notice may be mailed to the last known address of the person to be served by registered mail with return receipt. If the owner or the occupant cannot be served, the order may be served by posting it on the main entrance of the premises and by publishing as a class 3 notice under Ch. 985, Wis. Stats. The time limit specified in the order runs from the date of service or publication. *Public nuisances that are created by the accumulation of weeds, snow, or ice, shall have a time limit of 10 days.*
2. Abatement by the Town. If the owner or occupant fails or refuses to comply within the time period prescribed, the Town Building Inspector shall enter upon the premises and cause the nuisance to be removed or abated, and the Town shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.
3. Remedy from order. Any person affected by such order shall, within 30 days of service or publication of the order, apply to the circuit court for an order restraining the Town and the Town Building Inspector from entering on the premises and abating or removing the nuisance or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.
 - a. *If the public nuisance is created by the accumulation of weeds, snow, or ice, any person affected shall apply to the circuit court for an order restraining the Town and the Town Building Inspector within 10 days of service or publication of the order or be forever barred.*

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 07, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, and Highway Superintendent Dan Dresen.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the July 17, 2023 public hearings and Town Board meeting with a correction to the title for Mark Roffers
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36489-36515 and EFTs in the amount of \$23,711.19. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve July per diem payments as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Plan Commission Recommendations: Thomas Matthys and Robin Carley, petitioners, Raymond Tenebruso and Margaret Newton, landowners – parcel #0711-052-2228-3 at 2842 Gaston Road – requesting removal of deed restriction prohibiting manufacturing without authorization of the Town: Several neighbors to the property in question were present and expressed frustration with the state of neglect and disrepair that the property has been in for decades. DuPlayee said he had spoken with some of them who did not have a problem with the proposed commercial use if the house is restored and the grounds are cared for. Anders expected that the new owner would take better care of the place, and noted that had he not applied to have the deed restriction removed, the Town and the neighborhood would have had no notice of the intended use of the property by the potential buyer. Mr. Matthys stated that initially he just wants to get his business up and running in the current outbuildings. He does custom metal work/fabrication, with everything kept inside. He currently operates out of 612 N. Main St. in the Village of Cottage Grove. At this point he is not sure what he will do with the house, he stated possibilities for refurbishing it as a home or office, or taking it down, but stated that he will bring it to compliance or improve it. Mr. Carly introduced himself as Mr. Matthys father-in-law and business partner, and attempted to focus the discussion back onto the request for removal of the deed restriction. Concerns raised by neighbors included whether the removal of the deed restriction would carry on to future owners, noise, and screening. Discussion was that the property is zoned General Commercial, which does not allow manufacturing anyway. The deed restriction went back to an earlier time when the C-1 zoning on the property did allow for manufacturing. Screening will be considered with design review if/when any changes to the site are proposed. **MOTION** by Anders/Williams to accept the Plan Commission's recommendation to remove the word manufacturing from Lot 28 from the plat that was signed in 1976. It would remain on Lot 29. **MOTION CARRIED 4-1** (DuPlayee opposed).
- B. Update on raze order for house at 2983 County Road BB: The Clerk-Treasurer reported that the owner applied for a raze permit but never paid for or picked it up. The Building Inspector

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 07, 2023

plans to inspect for a raze soon. Owner Michael Cutrano was present and said that he has recently listed the property for sale and has had a lot of interest. He hopes to sell it within the next month. Contractors he has contacted for razing are busy. He asked for time to sell, raze, or refurbish it himself. Discussion was that this has been going on for months and he has already had ample time to have taken care of it. He can still sell it, or raze it within the allotted time if the Building Inspector's determination supports a raze order. **MOTION** by Anders/DuPlayee to proceed with the raze order process, and ask the Building Inspector to conduct his inspection by August 16th so he can report to the Board on August 21st.

MOTION CARRIED 5-0.

- C. Consideration of additional signage and/or reducing the speed limit on Siggelkow Road: Janie Riebe, 2965 Siggelkow Road, was present virtually and was concerned about all the additional traffic now that County AB is closed for construction. She said speeding and excess gravel from the recent seal coating along with unfamiliar drivers on the curves are making for unsafe conditions. She was shocked to hear that the speed limit is 55 mph. A written recommendation from Dane County Highway Engineer Brian Rice suggested that adding curve ahead signs with 20 mph recommended speed plaques for all four curves would be the quickest way to address the problem. Dresen had gotten a cost estimate of \$464.28 for the signs. **MOTION** by Fonger/Williams to spend up to \$475 for the recommended signs. **MOTION CARRIED 5-0.**
- D. Consideration of using ARPA funds to pay for second battery for speed board and additional signage for Siggelkow Road, if any from C. above: It was determined that there is room in the sign budget for these without additional funding. No action taken.
- E. Consideration of date for first Town Board meeting in September. **MOTION** by Williams/DuPlayee to hold the first Town Board meeting in September on Tuesday, September 5th. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: Dresen reported that two permit applications have been received from Alliant Energy, for 4274 and 3897 Vilas Road. He offered Alliant that a single \$500 deposit could be kept by the Town to cover routine permits such as these. A deposit has not yet been made, so the permits have not yet been issued.
- B. The crew has been busy mowing ditches. Road maintenance projects are complete except for the second coat of asphalt on the Garage parking lot, and seal coating of the Town Hall parking lot.

IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported of rumors that the substation north of the Town Garage will be expanding, and also possibly the one on Gaston Road. CoPart is willing to plant 6–8-foot arbor vitae along the fence where the berm was taken away by County AB construction. The Kennedy Hills HOA is asking for reimbursement for concrete, bricks and rental equipment used to install the playground equipment in the outlot there. This will be considered at the next meeting. He received a notice from the Village that on August 9th they will consider converting several lots in Shady Grove from Rural Holdings to Two Family residential.
- B. Williams reported that the Glacial Drumlin Trail has received federal funding to move ahead with completing the trail between Madison and Cottage Grove.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 07, 2023

VI. COMMITTEE REPORTS:

- A. Emergency Government Committee: Fonger reported that the committee will be discussing what was in the recent WTA magazine regarding Emergency Government, and discuss radios. He also heard that the County approved the use of UTVs/ATVs on County roads by permit.

VII. Consider/Adopt motion to convene in Closed Session Pursuant to Wisconsin Statute Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Development Agreement with RG Huston Company, Inc): Hampton said there is no need for a closed session at this time.

VIII. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session.

IX. ADJOURNMENT: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.**
The meeting ended at 8:29 P.M.

Kim Banigan, Clerk-Treasurer
Approved 08-21-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 21, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, Deputy Kristina Grams, Town Engineer Nick Bubolz, and Fire Chief Nick Archibald. Deer-Grove EMS Chief Eric Lang was present virtually.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the August 7, 2023 Town Board meeting with a correction to the vote on item II. A. **MOTION CARRIED 5-0.** **MOTION** by Williams/DuPlayee to approve the closed session minutes from July 17, 2023 as printed, and to make them an open record. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36516-36546 and EFTs in the amount of \$12,490.32. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$4,706.45 to General Engineering Company for July building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review July Police Activities: Deputy Grams provided the following data for speed boards: Baxter Road (35 mph zone): average speed 29 mph, maximum speed 82 mph, Vilas Road south of Hwy 12/18 (45 mph zone): average speed 38.6 mph, maximum speed 94 mph. Vilas Road near Damascus Trl (45 mph zone): average speed 39.4. maximum speed 93 mph. There was discussion about moving the boards before school starts, with suggestions that the one on Baxter Road remain there or on another segment of Baxter, with Sandpiper Trl and Vilas Road between CTH BB and Gaston Road suggested for the other two. There was also a suggestion that the day shift deputy monitor Vilas Road between CTH BB and Gaston Road along with Lane Street during the time kids are waiting for the bus. Anders asked if there would be any benefit in asking one of the Town Deputies to speak with the Village Police Department about the parking situation on Vilas Road near Bakken Park during rugby games. Cars parked on both sides do not leave room for traffic to meet there. Fonger said he has already contacted the Village president about this.
- B. Consideration of request for Deer Crossing sign near 4503 Baxter Road: Leslie Peckham, 4503 Baxter Road, had requested the sign. She and her husband Don were present, along with other residents listed on the sign-in sheet available in the Town office. She said deer and other wildlife often cross here travelling between the outlots and the wetlands to the east. Three deer have been hit in recent years, along with a fox. Dresen estimated the cost for two signs at \$130.00. **MOTION** by Anders/Williams to grant the request for deer crossing signs in both directions. **MOTION CARRIED 5-0.**
- C. Consideration of awarding of contracts for Vilas Road Culvert Improvements: Two bids were received, and Town Engineer Nick Bubolz had provided a letter including his analysis and recommendation (Exhibit A). He stated that both bids exceed the engineering estimate that was used to apply to the County Bridge Aid program, so the award amount of \$41,708.00 will

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 21, 2023

not cover 50% as originally anticipated. The Town can re-apply for the difference, but the awarded funds would not be received until 2025. **MOTION** by Fonger/DuPlayee to accept the bid from R.G. Huston Company, Inc. for \$124,889.84 (Base and Supplemental Bids total) plus a 10% contingency. **MOTION CARRIED 5-0.**

- D. Consideration of request from the Kennedy Hills Homeowners Association for reimbursement of cost of materials to install playground equipment: Tony Arts, 2231 Wooded Ridge Trail, and Steve Petri, 2201 Wooded Ridge Trail were present to represent the HOA. Arts said they had expenses totaling \$1,878.76 for concrete and arial lift rental to install the playground equipment, which was reduced to \$1,778.33 due to a rebate from Menards. Williams questioned their due diligence in finding the best price for these items, as she was able to find less expensive options. She said that when her neighborhood installed playground equipment, they raised the necessary funds for costs like these themselves. **MOTION** by Fonger/Anders to reimburse the Kennedy Hills HOA \$1,778.33 for their expenses. **MOTION CARRIED 3-2** (Williams and DuPlayee opposed.)
- E. Update on raze order for house at 2983 County Road BB: New owner TJ Gray and his son were present. Mr. Gray said the seller did not disclose anything about the raze order in process. He stated is intentions to clean up and tighten up the outside of the residence first, for curb appeal and water-tightness. After that he will access the inside, he hopes to refurbish it for his son to reside in. Board consensus was to suspend the raze order process and have him report back on October 16th.
- F. Discuss payment and deposit policies for Road Right-of-Way permits with Alliant Energy Representatives: No one from Alliant Energy was present. The Clerk-Treasurer stated that they are having difficulties with the deposit requirement, and have also asked for monthly or quarterly billings rather than needing to pay up front for each permit. Banigan suggested that the ordinance requirement for deposits to be made with cash or certified checks could be a hardship and probably is not necessary when dealing with utility companies. Board consensus was to consider revising the ordinance requirement for form of payment of the deposit at the September 5th meeting. If Alliant would like other changes considered, they will need to represent that request themselves.
- G. Consideration of terms for renewal of Lease Agreements with DJH Land Holdings, LLC for 2560 Nora Road and R.G. Huston Co., Inc. for 4091 CTH N: The Clerk-Treasurer had drafted new 4-year leases for both properties under the same terms as the expiring leases. She said to her understanding, DJH Land Holdings, LLC and R.G. Huston Co., Inc. are good with this plan. **MOTION** by Williams/DuPlayee to approve renewing both leases with the same terms as the expiring leases, including a 1.5% rent increase each year, as represented in the draft lease agreements. **MOTION CARRIED 5-0.**
- H. Consideration of sale of former Tender 1: Fire Chief Nick Archibald was present and said the new Tender 1 is here, he would like to offer the old one for auction on Wisconsin Surplus. It is a 2000 Peterbilt Tender with 5,800 miles on it. He shared recent Wisconsin Surplus sale amounts for similar trucks. **MOTION** by Fonger/DuPlayee to set a \$30,000 minimum on the sale of the 2000 Peterbilt Tender on the Wisconsin Surplus auction site. **MOTION CARRIED 5-0.**
- I. Consideration of attendees for WTA Fall Workshops in September: The Clerk-Treasurer would like to attend the September 26th workshop in Barneveld. There was no other interest

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
AUGUST 21, 2023

in attending. **MOTION** by Hampton/Williams to allow the Clerk-Treasurer to attend the September 26th workshop in Barneveld. **MOTION CARRIED 5-0.**

- J. Consideration of attendees for WTA Annual Convention on October 22-24: No one was interested in attending.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: None – Alliant has applications in but they have not been issued, pending deposits as discussed above.
- B. Center-stripping of re-paved roads is planned for later this week. Sealcoating of the Town Hall parking lot will be this Saturday.

- IV. CLERK-TREASURER'S OFFICE UPDATE: She attended a virtual ARPA training webinar, she has questions about whether the playground equipment qualifies under the Revenue Replacement option.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported receipt of a notice regarding air pollution permit review for the Rodefild Landfill site and a notice from Dane County of a resolution declaring Dane County as a sanctuary for transgender and nonbinary individuals. He also shared ATV/UTV routes that have been proposed by a group of local riders. He will put it on a future agenda.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: Williams reported that the Chief proposed to add two more paramedics to the 2024 budget, but the commission cannot act on the budget until the Village of Cottage Grove decides how they plan to go forward with EMS Services. Hampton said the Chief was directed to put the new ambulance chassis in the 2024 budget as a capital purchase. Williams also shared that at the recent ruby tournament, Deer-Grove EMS was able to borrow an electric UTV from Fitch-Rona EMS, which they purchased with help from Epic Systems. Chief Lang said that Deer-Grove EMS would not have regular use for a similar unit but could possibly borrow it again for larger events, noting that Dane County has a similar unit.

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

Kim Banigan, Clerk-Treasurer
Approved 09-05-2023

August 10, 2023

Town of Cottage Grove
4058 County Road N
Cottage Grove, WI 53527

Attention: Mr. Kris Hampton, Town Chairperson

Subject: Analysis of Bids and Recommendation for Award of Contracts; 2023
Culvert Improvements – Vilas Road; Town of Cottage Grove

Bid Deadline: August 10, 2023 at 2:00 p.m. local time

Ladies and Gentlemen:

The purpose of this letter is to analyze the bids received for the 2023 Culvert Improvements project and to recommend award of a contract. This project involves removal of an existing concrete box culvert on Vilas Road and replacing with a 6' x 5' precast concrete box culvert with endwalls, including associated road reconstruction, rip-rap, retaining wall and guardrail, with an add/deduct item for 2024 construction and supplemental items coconut erosion mat, modular concrete block retaining wall and asphalt driveways.

The pre-bid estimate for the base bid was \$104,535.00. Nine general contractors, subcontractors, and material suppliers requested sets of the plans, specifications and bidding documents. Two contractors submitted bids.

A summary of the bids is as follows:

Contractor	Base Bid	Adder/ Deduct	Supplemental Bid Total
R.G. Huston Company, Inc.	\$118,155.24	\$0.01	\$6,734.60
S & L Underground, Inc.	\$130,263.00	\$(1,000.00)	\$7,205.00

All of the bids were properly submitted.

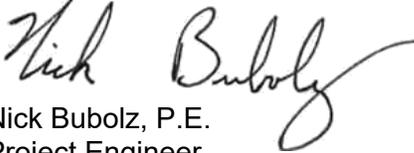
The low bidder, using the base bid only, the base bid and adder/deduct, or the base bid, adder/deduct and supplemental bid is R.G. Huston Company, Inc. of Cottage Grove, Wisconsin, an experienced utility and street contractor that completed a similar project for the Town on several occasions. We recommend that R.G. Huston Company be awarded a contract for the base bid and supplemental bids, if the budgets allow, for a total of \$124,889.84.

This will be a unit price contract. That is, the contractor will be paid for the work actually performed on the basis on the unit prices bid. This means that the final line item costs could be either greater than or less than the bid totals. Also, unexpected conditions are

sometimes encountered which result in increased project costs. Therefore, it would be wise to continue to carry the recommended 10% contingency.

If you have any questions with respect to our thoughts on this matter, I am available at your convenience to discuss them with you.

Respectfully,
TOWN & COUNTRY ENGINEERING, INC.

A handwritten signature in black ink that reads "Nick Bubolz". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Nick Bubolz, P.E.
Project Engineer

NRB:sai

J:\JOB#\S\Cottage Grove\CG-45-M3 Vilas Road Culvert Replacement\10. Construction\Bidding\Recommendation Ltr.docx

BID TABULATION

Project: 2023 Culvert Improvements – Vilas Road; Town of Cottage Grove
 Engineer's Project Number: CG 45 Bid Deadline: August 10, 2023 at 2:00 p.m. local time

ITEM NO.	DESCRIPTION OF WORK	BID		PRE-BID ESTIMATE		R.G. Huston Company, Inc.		S & L Underground, Inc.	
		QUANT.	UNITS	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID									
1.	72" x 60" Concrete Box Culvert	30	lin. ft.	\$ 1,250.00	\$ 37,500.00	\$ 1,400.00	\$ 42,000.00	\$ 1,251.00	\$ 37,530.00
2.	72" x 60" Concrete Endwall	2	each	\$ 15,000.00	\$ 30,000.00	\$ 12,900.00	\$ 25,800.00	\$ 13,121.00	\$ 26,242.00
3.	Excavation/Fill to Plan Subgrade	1	lump sum	\$ 5,000.00	\$ 5,000.00	\$ 11,900.00	\$ 11,900.00	\$ 19,000.00	\$ 19,000.00
4.	Excavation & Disposal of Bad Subbase Below Subgrade (EBS)	10	cu. yd.	\$ 30.00	\$ 300.00	\$ 29.00	\$ 290.00	\$ 85.50	\$ 855.00
5.	Breaker Run (Base Course & Replacement of EBS)	65	tons	\$ 30.00	\$ 1,950.00	\$ 23.00	\$ 1,495.00	\$ 32.00	\$ 2,080.00
6.	Crushed Aggregate Base Course Including Fine Grading	26	tons	\$ 30.00	\$ 780.00	\$ 45.00	\$ 1,170.00	\$ 32.00	\$ 832.00
7.	Sawcutting Existing Concrete and Asphalt Pavements	45	lin. ft.	\$ 4.00	\$ 180.00	\$ 2.95	\$ 132.75	\$ 4.00	\$ 180.00
8.	Clean & Tack	75	sq. yd.	\$ 1.00	\$ 75.00	\$ 1.31	\$ 98.25	\$ 1.00	\$ 75.00
9.	1.75" Hot-Mix Asphalt Lower Course, Type LT	9	tons	\$ 175.00	\$ 1,575.00	\$ 348.48	\$ 3,136.32	\$ 373.00	\$ 3,357.00
10.	1.5" Hot-Mix Asphalt Surface Course, Type LT	8	tons	\$ 175.00	\$ 1,400.00	\$ 348.49	\$ 2,787.92	\$ 373.00	\$ 2,984.00
11.	Guard Rail	160	lin. ft.	\$ 75.00	\$ 12,000.00	\$ 75.00	\$ 12,000.00	\$ 75.00	\$ 12,000.00
12.	New Extra Heavy Rip Rap	85	tons	\$ 45.00	\$ 3,825.00	\$ 62.00	\$ 5,270.00	\$ 70.00	\$ 5,950.00
13.	Remove and Replace Retaining Wall	70	face sq. ft.	\$ 35.00	\$ 2,450.00	\$ 40.00	\$ 2,800.00	\$ 40.00	\$ 2,800.00
14.	Topsoil Restoration, Seeding, Fertilizing & Mulching	125	sq. yds.	\$ 12.00	\$ 1,500.00	\$ 15.00	\$ 1,875.00	\$ 20.00	\$ 2,500.00
15.	Pavement Markings	1	lump sum	\$ 2,000.00	\$ 2,000.00	\$ 3,150.00	\$ 3,150.00	\$ 3,150.00	\$ 3,150.00
16.	Erosion Control	1	lump sum	\$ 2,500.00	\$ 2,500.00	\$ 2,750.00	\$ 2,750.00	\$ 1,060.00	\$ 1,060.00
17.	Traffic Control	1	lump sum	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 9,668.00	\$ 9,668.00
	BASE BID TOTAL				\$ 104,535.00		\$ 118,155.24		\$ 130,263.00
ADD/DEDUCT - 2024 Construction									
AD1	Construction in 2024	1	lump sum	\$ (5,000.00)	\$ (5,000.00)	\$ 0.01	\$ 0.01	\$ (1,000.00)	\$ (1,000.00)
SUPPLEMENTAL BID ITEMS									
S1	Coconut Erosion Mat	70	sq. yds.	\$ 4.00	\$ 280.00	\$ 4.00	\$ 280.00	\$ 10.00	\$ 700.00
S2	Modular Concrete Block Retaining Wall	100	face sq. ft.	\$ 60.00	\$ 6,000.00	\$ 60.00	\$ 6,000.00	\$ 60.00	\$ 6,000.00
S3	2" Hot-Mix Asphalt Driveways	10	sq. yds.	\$ 30.00	\$ 300.00	\$ 45.46	\$ 454.60	\$ 50.50	\$ 505.00
	SUPPLEMENTAL BID TOTAL				\$ 6,580.00		\$ 6,734.60		\$ 7,205.00

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 05, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Supervisor Kristi Williams arrived at 7:05 P.M.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by DuPlayee/Fonger to approve the minutes of the August 21, 2023 Town Board meeting as printed. **MOTION CARRIED 4-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36547-36571 and EFTs in the amount of \$21,828.88. **MOTION CARRIED 4-0.**
 - 2. **MOTION** by Anders/Fonger to approve August per diem payments as presented. **MOTION CARRIED 4-0.**
- F. Public Concerns: None.

II. BUSINESS

(Williams arrived)

- A. Plan Commission Recommendations: Kristine A Leon, Petitioner, Swalheim Rev Tr, Duane P and Candace J, property owners of parcel 0711-273-0022-0: requesting modification of the deed restriction to allow vehicle repair or maintenance as a conditional use (DCPREZ11977), and a Conditional Use Permit for vehicle repair or maintenance (DCPCUP-02605): Ms. Leon and her husband Jose Barberis were both present. Hampton asked if all the vehicles stored outside would be in salable condition. Mr. Barberis said all would be in running condition, even those waiting for repairs, which would all be performed inside. **MOTION** by DuPlayee/Anders to accept the Plan Commission's recommendation to modify the deed restriction to allow vehicle repair or maintenance as a conditional use, and approve a CUP for vehicle repair or maintenance, with hours limited to Monday-Friday from 7:30 a.m. to 5:30 p.m. Saturdays would be limited to sales only. All standards for a CUP were considered satisfied. **MOTION CARRIED 5-0.**
- B. Consideration of two-lot CSM for Farwell Family Investment Co, LLC for lot line adjustment between 4073 and 4085 Ridge Road (DCPREZ 2023-11951): **MOTION** by Fonger/DuPlayee to approve the CSM identified as Dwg. No. 5870-22 dated 8/10/2023 as presented. **MOTION CARRIED 5-0.**
- C. Consideration of CSM for Karl & Cari Dahl to create a new residential lot near 3637 Earlwyn Road (DCPREZ 2023-11897): A letter from Dane County Plat Review Officer Dan Everson identified additional lands adjacent to Earlwyn Road that must be dedicated to the public. **MOTION** by Williams/DuPlayee to approve the CSM conditional on the requirements from Dan Everson's letter dated August 31, 2023 being satisfied. **MOTION CARRIED 5-0.**
- D. Discuss payment and deposit policies for Road Right-of-Way permits with Alliant Energy Representatives: No one from Alliant was present.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 05, 2023

- E. Consider adoption of Ordinance 2023-09-05 adopting Revisions to 08.03(1)(e)(2) Right-of-Way Permit Deposits: **MOTION** by DuPlayee/Williams to adopt Ordinance 2023-09-05 as presented. **MOTION CARRIED 5-0.**
- F. Discuss/Consider approval of substitute language in Dane County Ordinance Amendment 2023-OA-009 regarding salvage operations: The Town of Middleton sent a request for support in disapproving the amendment which would allow salvage operations in the MI and RI zoning districts as a conditional use. The request noted that only the Towns of Middleton, Burke, Deerfield, and Medina currently have MI or RI zoning. Anders said that the DCTA Executive Committee recommends disapproving the amendment in support of these towns, who he said would prefer a separate zoning district for salvage yards instead of a CUP. Discussion was that a CUP would still require applicants to come to the Town, and in the case of a CUP, the Town's word is final, whereas the County could approve a rezone even if a Town did not. **MOTION** by Williams/DuPlayee to table until the September 18th meeting. **MOTION CARRIED 5-0.** The Clerk-Treasurer will prepare a resolution to disapprove the ordinance amendment in case that is what the Board decides to do then.
- III. Discuss/Consider funding source for 2023 paving budget overage: 2023 paving projects exceeded the budgeted amount by \$9,520.10, for a total of \$359,520.10. Banigan said options were to draw the overage from the 10-year note along with the budgeted amount, (plans for the note originally included \$500,000 for road projects), or fund it from another source. **MOTION** by DuPlayee/Williams to draw the full \$359,520.10 from the 10-year note. **MOTION CARRIED 5-0.**
- IV. Consideration of renewal quote for TrafficCloud subscriptions for three speed boards: The quote was designed to put all three speed boards on the same renewal cycle. One expires on 12/02/24 and the other two expire on 2/24/25. The cost to extend all three through 02/25/25 was \$3,250, but a 10% discount for 24 months or 15% discount for 36 months were also offered. **MOTION** by DuPlayee/Williams to accept the quote for 24 months at a 10% discount. **MOTION CARRIED 5-0.** (Note that the 24-month cost including discount came to \$6,975.00.)
- V. Set dates for 2024 Budget Workshops: Meetings were set for October 30th and November 2nd (if needed), both beginning at 6:30 P.M.
- VI. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
 - A. Report of Road Right-of-Way permits issued: None – Alliant has applications in but they have not been issued, pending deposits.
 - B. The Eagle Scout has completed the park benches and will deliver the benches soon. Hampton said a thank-you letter should be sent to him.
- VII. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.
- VIII. BOARD REPORTS AND COMMUNICATIONS:
 - A. Hampton reported that CTH AB at US Hwy 12/18 should be open on September 22nd. Copart is working on plantings to hide its fence along the CTH AB ramp.
 - B. Anders asked if there is any update about the developer's agreement with Hustons. Hampton said the Town Atty. received a red-line version from their attorney late last week. Banigan said Atty. Cole offered two options for the next step: He, Hampton, Banigan, and the Town Engineer could review it and go back to Hustons with a response, then bring the final copy to the Board for approval, or the Board could look at it before it goes back to the Hustons.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 05, 2023

Consensus was that the other Board members would like to see it before it goes back to the Hustons.

- C. Williams reported that at the recent Chamber meeting she learned that 70% of the Village's room tax will go to the Chamber to promote Cottage Grove, including a brochure about what the community offers as a destination. She asked others to consider what Town features should be included in it. She also learned that a MGHS Marketing teacher plans to have students work with businesses and non-profits to develop marketing plans, and she suggested that CGAHS and the Lions Club could possibly benefit from this.

IX. COMMITTEE REPORTS: None.

X. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Negotiating Position Relative to Fire Protection Agreement for the Cottage Grove Fire District: **MOTION** by DuPlayee/Williams to move into closed session for the reasons stated above. **MOTION CARRIED 5-0 by roll call vote.** Board members and the Clerk-Treasurer remained, recording was stopped and the virtual meeting was locked. The Closed Session began at 8:03 P.M.

XI. Consider/Adopt motion to reconvene to open session to take any action necessary from closed session: **MOTION** by Anders/DuPlayee to reconvene in open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 8:17 PM, and there was no resulting action taken.

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

Kim Banigan, Clerk-Treasurer
Approved 09-18-2023

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Ordinance 2023-~~06~~⁰⁹ adopting Revisions to 08.03(1)(e)(2) Right-of-Way Permit Deposits

Code Section(s) created, amended, or repealed	<u>08.03(1)(e)(2)</u>
Presented to Board by	<u>Town Clerk-Treasurer</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>Not required</u>
Date adopted	<u>9/5/2023</u>
Vote	<u>5-0</u>
Date of posting of adoption of ordinance	<u>9/6/2023</u>
Date of publication of adoption of ordinance	<u>Not required</u>

The Town Board of the Town of Cottage Grove does ordain as follows:
TCG Ord. Section 08.03 Right-of-Way Permits is hereby amended to read as follows:

08.03 RIGHT OF WAY PERMITS

(1) APPLICATION AND APPROVAL REQUIRED

(e) As a condition of permit approval, the Town shall require and the applicant shall provide the following:

2. Deposit. A deposit to ensure proper construction, completion of work, restoration and absence of damages to Town highways, roadways, and rights-of-ways. The deposit shall be for 120% of the total amount of the estimated cost to restore the Town highway, roadway, or right-of-way to be disturbed to a condition as good as existed prior to the applicant's work, as such total amount is determined by either the Highway Superintendent or the Town Engineer. ~~The applicant's deposit shall be in the form of i) an irrevocable letter of credit in a form acceptable to the Town; ii) cash; iii) certified or cashier's check.~~ Upon completion of the work, restoration of any areas disturbed, and approval by the Highway Superintendent or Town Engineer, the Town shall refund the deposit in a timely manner, less any damage, repair, completion, or excess inspection costs. The deposit amounts shall be determined on an application-by-application basis, as set forth on Exhibit A.

Adopted this 5th day of Sept, 2023 by a vote of 5 in favor, 0 against and 0 abstaining.


Kris Hampton, Town Chair

ATTEST:


Kim Banigan, Town Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 18, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, Town Attorney William Cole and Town Engineer Nick Bubolz. EMS Chief Eric Lang was present virtually.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the September 5, 2023 Town Board meeting as printed. **MOTION CARRIED 5-0.** **MOTION** by Williams/DuPlayee to approve the minutes of the closed session held on September 5, 2023, and to keep them closed until the matter is resolved. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36572-36596 and EFTs in the amount of \$12,759.46. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Fonger to approve payment of \$4,712.75 to General Engineering Company for August building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: Anders stated that the new owners of 2983 CTH BB are working hard to clean it up. There was a question about whether any building permits have been pulled, the Clerk-Treasurer will check with the Building Inspector.

II. BUSINESS

- A. Review August Police Activities: No deputies were present. The Board reviewed the printed report, which showed 248 calls for service and 93 citations issued in August.
- B. Consider recommendation of the Cottage Grove Fire Commission to accept a quote from ESS Security to provide and install access control system and cameras in the Emergency Services Building: Fonger questioned the rationale of this request, wondering if there have been problems. Chief Lang said they have had instances where the keypads have had to be re-programmed quickly, and stated this proposal is the result of 6 months of discussion with the commission. **MOTION** by Anders/DuPlayee to approve the Town's cost of the system in 2024 (50% of \$69,520 purchase price = \$34,760 + 50% of \$480 annual licensing fee = \$240). **MOTION CARRIED 5-0.**
- C. Consider adoption of a Resolution Disapproving Dane County Zoning Code Amendment Sub. 1 2023 OA-09 Related to Salvage Operations in the MI-Manufacturing and Industrial Zoning District: The Clerk-Treasurer had surveyed the towns with MI zoning, and none were in favor of disapproving this amendment except for the Town of Middleton. **MOTION** by Fonger/DuPlayee to table this forever. **MOTION CARRIED 5-0.**
- D. Consider adoption of a Resolution Approving a Release of Deed Restriction for Lot 28 of the Plat of Cedar Knolls (confirming Board action taken on August 7, 2023). **MOTION** by DuPlayee/Williams to adopt the resolution as presented. This will be Resolution 2023-09-18. **MOTION CARRIED 5-0.**
- E. Consider attendees for DCTA Membership meeting on September 20, 2023: **MOTION** by Hampton/Williams to allow three Board members to attend. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 18, 2023

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: Alliant has agreed on a \$500 blanket deposit, there are four permits ready to be issued once the deposit is received. Charter has applied for a permit to hook up gas to the last lot in Viney's Addition to Sky High, which will be issued upon receipt upon a deposit.
- B. The park benches and picnic tables resulting from the Eagle Scout project have been taken out to the parks.
- C. New trees will be planted in the parks tomorrow, and the crew will be mowing out ditches soon for the last time this year.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan said that in reviewing the ESB Repair Fund and Pleasant Springs Fire Revenue Fund balances, she and the Village Finance Director have agreed that interest should have been allocated to these funds going back to their inception. While they are not held in separate bank accounts, proportional interest based on bank and fund balances can be calculated. There was no objection to this, and she will proceed with the interest allocations. 2024 Shared Revenue estimates came out on September 15th. The Town will benefit from an additional \$94,155.81 in Supplemental aid beginning in 2024. Banigan has begun looking into fuel fleet cards instead of having accounts with both Alcivia and Consumers Coop. They could be used at any local station and offer fuel discounts based on volume.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Williams, DuPlayee and Fonger attended the ribbon cutting event for Warm Belly Farms, and were impressed with the operation. Hampton asked Dresen about putting no parking signs on Vilas Hope Road during events there. Dresen did not see the need because due to the density of driveways, there isn't much room to park on the road, and there are over 400 parking spots on the property. A wait and see approach will be taken.

VI. COMMITTEE REPORTS:

- A. Cottage Grove Fire District Commission: Hampton read the language from the new agreement regarding ownership of assets to the commission. The next meeting will be on Monday, September 25th. The new squad will be delivered in 2024, and new ceiling fans for the bay are being investigated.
- B. Emergency Government Committee: The committee recommended the same budget for 2024 as was used for 2023.

VII. Consider/Adopt motion to convene in Closed Session Pursuant to Wisconsin Statute Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Development Agreement with RG Huston Company, Inc.; Deed Restriction, Notice and Snow Maintenance Agreement with Screamin' Norwegian Farms, LLC) and 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: Contracted Sheriff's Deputies: **MOTION** by DuPlayee/Williams to convene in closed session for the reasons stated above. **MOTION CARRIED 5-0 by roll call vote.** Board members, the Clerk-Treasurer, Town Attorney and Town Engineer all stayed for the closed session. Everyone else left, the door and virtual meeting were locked, and recording was suspended. The closed session began at 7:35 P.M.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
SEPTEMBER 18, 2023

- VIII. Consider/Adopt motion to reconvene to open session pursuant to Wisconsin Statute Section 19.85(2): **MOTION** by Williams/DuPlayee to reconvene in open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 8:35 P.M. The door and virtual meeting were unlocked and recording was resumed.
- IX. Consider and take potential action on the subject matter(s) discussed in closed session: **MOTION** by DuPlayee/Fonger to send a response to Screamin' Norwegian Farm's attorney indicating that Screamin' Norwegian Farms will be relieved of winter maintenance responsibilities for Skaar Road. **MOTION CARRIED 5-0**
- X. **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:37 P.M.

Kim Banigan, Clerk-Treasurer
Approved 10-02-2023

**TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2023-09-18**

**APPROVING A RELEASE OF DEED RESTRICTION FOR LOT 28 OF THE PLAT OF
CEDAR KNOLLS**

WHEREAS, the Plat of Cedar Knolls imposed certain deed restrictions which, among other things, prohibited manufacturing on Lot 28; and

WHEREAS, the Town anticipates the development of Lot 28 which may include manufacturing; and

WHEREAS, the Town is agreeable to releasing the deed restriction which prohibits manufacturing on Lot 28 in order to facilitate development of the property.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Board of the Town of Cottage Grove that the attached release of deed restriction is hereby approved, and the Town Chairperson and Town Clerk are authorized to execute same.

This Resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting on September 18, 2023, by a vote of in favor, 5 opposed, and 0 not voting.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Chairperson

Attested by:



Kim Banigan, Town Clerk

AFFIDAVIT OF POSTING OF
TOWN OF COTTAGE GROVE RESOLUTIONS AND ORDINANCES

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, Kim Banigan, Cottage Grove Town Clerk, being first duly sworn, on oath, state as follows:

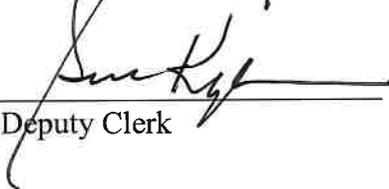
On September 19, 2023 the following was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

Resolution 2023-09-18
Approving a release of Deed Restriction for Lot 28 of the Plat of Cedar Knolls



Kim Banigan, Town Clerk-Treasurer

Subscribed to and sworn before me
this 19th day of September, 2023.



Deputy Clerk
or

(print name)
Notary Public, State of Wisconsin
My Commission expires: _____

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
OCTOBER 2, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, Fire Chief Nick Archibald and DGEMS Chief Eric Lang.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the September 18, 2023 Town Board meeting as printed. **MOTION CARRIED 5-0.** **MOTION** by Williams/DuPlayee to approve the minutes of the closed session held on September 18, 2023, and to keep them closed until the matter is resolved. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #336597-36619 and EFTs in the amount of \$21,988.24. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Fonger to approve payment of September per diems as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Plan Commission Recommendations: Phillippe Koller, applicant, Wisconsin Power & Light Company, property owner, parcels #0711-164-8610-2 and 0711-164-8600-4 at 4080 County Highway N: Certified Survey Map to combine two lots, no rezone necessary: **MOTION** by DuPlayee/Fonger to accept the Plan Commission's recommendation to approve of the CSM conditioned on meeting the comments from the Dane County Surveyor. **MOTION CARRIED 5-0.**
- B. Discuss/Consider approval of 2024-2028 contract for Provision of Fire Protection and Rescue Services by and Between the Cottage Grove Volunteer Fire Department, the Cottage Grove Fire District, and the Town of Pleasant Springs: **MOTION** by Anders/DuPlayee to approve the contract as presented. **MOTION CARRIED 5-0.**
- C. Discuss/Consider approval of 2024-2028 contract for Provision of Emergency Medical Services by and Between the Deer-Grove EMS District and the Town of Pleasant Springs: **MOTION** by Williams/DuPlayee to approve the contract as presented. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of 2024-2028 contract for Provision of Emergency Medical Services by and Between the Deer-Grove EMS District and the Town of Deerfield: **MOTION** by Williams/DuPlayee to approve the contract as presented. **MOTION CARRIED 5-0.**
- E. Discuss/Consider approval of Agreement with Strand Associates for 2024 Services for the Natvig Road Landfill: It was noted that there is no cost increase from Strand compared to the 2023 agreement. **MOTION** by Anders/DuPlayee to approve the agreement as presented. **MOTION CARRIED 5-0.**
- F. Consider rescheduling 2024 Budget Workshop planned for November 2, 2023: There was general agreement to reschedule the meeting to November 7, 2023 at 6:30 PM.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
OCTOBER 2, 2023

- G. Discuss/Consider applying for fuel fleet cards with either Kwik Trip or WEX: **MOTION** by DuPlayee/Williams directing the Clerk-Treasurer to apply for Kwik Trip fuel cards.
MOTION CARRIED 5-0.

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: Two permits have been issued since the last meeting: one to Charter at the corner of Oakwood Dr. and Hope Rd. to replace an old cable, and one to Alliant for gas and electric service to a new home at 3863 Vilas Hope Road.
- B. They have started the fall mow-out of the ditches, and Dresen is working on his 2024 budget.

IV. CLERK-TREASURER'S OFFICE UPDATE: Banigan said her attendance at the Fall WTA Fall workshop last week was beneficial for her first year and acting as Treasurer during the budget and tax preparation process. She is getting quotes to re-key doors on Town buildings because several keys have been lost or not returned since the last time this was done in the early 2000s.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that:
 - 1. The old Tender 1 sold for over \$63,000 on the Wisconsin Surplus Auction site.
 - 2. The 5' culvert specified in the Vilas Road culvert replacement project will not be available until next spring. Dane County has approved using two 36" culverts instead, which may allow the project to be done yet this year.
 - 3. The first negotiation meeting for the new County landfill site is tomorrow.
 - 4. He received a notice from the Campaign to Enhance Public Libraries about Cornerstone Event to be held on October 12th to honor Kristi Williams.
- B. In follow up to her report at the last meeting about the MG DECA Club looking for businesses and organizations to work on promotional materials, she reported that after speaking to CGAHS representatives, that idea has been set aside. She suggested that DGEMS and CGFD could possibly benefit from such a service. Chief Lang said that is already in the works.

VI. COMMITTEE REPORTS:

- A. Deer-Grove EMS Commission: The Commission approved the 2024 budget. Village of Cottage Grove representatives provided a list of proposed items to discuss for possible consideration in the future or as matter of practice to ensure that the goals of the district are met.
- B. Cottage Grove Fire District Commission: The commission approved the 2024 CGFD and ESB budgets, but did not act on the security system yet.
- C. Jt. Town/Village Landfill Monitoring Committee: Tina Sebold from Strand Associates provided an annual update. Not much has changed. The committee approved the 2024 service agreement with no price increase.

VII. **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:49 P.M.

Kim Banigan, Clerk-Treasurer

Approved 10-16-2023

- I. Notice of the meeting was posted at the Town Hall and on the Town's web site. Town Board/Plan Commission Chair Kris Hampton, and Supervisor/Plan Commission member Steve Anders, Supervisors Mike Fonger, Kristi Williams and Mike DuPlayee were present, along with Plan Commission members Dave Muehl, Troy Eickhoff, Mike Klinger, Mark Kudrna and Jerry Meylor. Clerk-Treasurer Kim Banigan, Deputy Clerk Amber Steele, Highway Superintendent Dan Dresen, Attorney Chris Nelson and developer Duane Swalheim were also present.
- II. Hampton called the Town Board and Plan Commission to order at 6:45 P.M.
- III. Consider adoption of Plan Commission Resolution 2023-10-16 Recommending Conditional approval of the Preliminary Plat of Swalheim Business Park: Banigan noted that the Town Engineer has not seen a new plat incorporating the items on his review letter dated August 23, 2023. Eickhoff asked about the un-improved east-west segment of North Star Road, discussion was that no access or building permits will be issued on lots fronting that stretch until the road is improved. Swalheim stated his understanding of this. Further discussion was that the improved road will be wider than the portion Swalheim owns, so an easement or purchase from Larry Skaar will be necessary to improve the road. Swalheim also stated that lots 4,5,9 and 10 did not perk, so holding tanks will be needed. He has ordered the concrete culverts specified by the Town Engineer to replace the metal ones he originally installed under the new cul-de-sac. **MOTION** by Muehl/Klinger to adopt Resolution 2023-10-16 with the additional requirement that conditions listed on the Town Engineer's letter dated August 23, 2023 be satisfied. **MOTION CARRIED 7-0.**
- IV. Adjournment of the Plan Commission and Town Board: **MOTION** by Klinger/Kudrna to adjourn the Plan Commission. **MOTION CARRIED 7-0.** **MOTION** by Williams/DuPlayee to adjourn the Town Board. **MOTION CARRIED 5-0.** The meeting ended at 6:56 P.M.

Kim Banigan, Clerk-Treasurer

Approved by the Town Board on 11-06-2023

Approved by the Plan Commission on 11-22-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
OCTOBER 16, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, Clerk-Treasurer Kim Banigan, Deputy Clerk Amber Steele, Highway Superintendent Dan Dresen, Attorney Chris Nelson and developer Duane Swalheim. EMS Chief Eric Lang attended virtually.
- C. Hampton called the meeting to order at 6:56 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the October 2, 2023 Town Board meeting as printed. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #33620-36643 and EFTs in the amount of \$13,438.07. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/Fonger to approve payment of \$4,371.50 to General Engineering for September building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: Alecia Rausch, 4552 Vilas Road, said that speeding is still a big problem on the stretch of Vilas Road between CTH BB and Gaston Road, and asked for more enforcement there and in Town neighborhoods rather than out on USH 12/18.

II. BUSINESS

- A. Review September Police Activities: No deputies were present. The Board reviewed the written report, which showed 256 calls for service and 108 citations issued in September.
- B. Consider adoption of Town Board Resolution 2023-10-16 Conditional Approval of a Preliminary Plat for Swalheim Business Park: **MOTION** by DuPlayee/Anders to adopt Resolution 2023-10-16 with the additional requirement that conditions listed on the Town Engineer's letter dated August 23, 2023 be satisfied. **MOTION CARRIED 5-0.**
- C. Discuss/Consider Development Agreement for Swalheim Business Park: Atty. Nelson said the Developer's attorney did not find much objectionable in the draft agreement, and is working on the corresponding covenant and association documents to place responsibility for maintaining the stormwater facilities on the property owners. It is expected he will have the documents ready later this week. Swalheim said that he has sold all but three of the lots already. Williams asked if the buyers are aware there will be covenants. He said no, because he was not aware of it until now. He thought the owners of the three lots created earlier by CSM should share in the costs of maintaining the stormwater facilities, but Atty. Nelson said there would be no way to force them to do that. **MOTION** by Williams/Anders to table until the November 6th meeting. **MOTION CARRIED 5-0.**
- D. Update on progress renovating 2983 County Road BB: Owner TJ Gray and his son were present. Mr. Gray said he has done minimal work to spruce up the exterior of the property, and is focusing grading and making the interior weatherproof before winter. Electricity is not hooked up; he is using a generator. The furnace will need to be replaced; he will use temporary heat sources in the meantime. He is unsure of the status of the septic, was told to start using it to see if it works. He plans to take down a shed in the back yard and put a fence panel for screening. Comments from the Board were in appreciation of how much better the property already looks, and encouragement to keep up the good work.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
OCTOBER 16, 2023

- E. Consideration of replacing slide in Ravenwood Park: Dresen had obtained a quote to replace the plastic slide, however he also stated he thought it could be repaired. **MOTION** by Fonger/DuPlayee directing the public works crew to attempt to repair it. **MOTION CARRIED 5-0.**
 - F. Consideration of MOU with the Wisconsin Elections Commission for the Badger Book Program: Banigan explained that this is required for ongoing use of the Badger Book Software. **MOTION** by Williams/DuPlayee to authorize Hampton to sign the MOU. **MOTION CARRIED 5-0.**
 - G. Consideration of placement of Overdose Aid Kits (OAK Boxes) in the Town: Discussion was that the kits must be accessible 24/7, and require a climate-controlled area so the drugs do not freeze. Chief Lang said they are working to get kits in the Village, and he plans to put one in the foyer of the Emergency Service Building once the new security system is in place. There did not seem to be another suitable place for them in the Town. Anders offered a vestibule at the Secure Storage site where he works.
 - H. Complete 2024 Insurance Renewal Questionnaire: There were concerns over the replacement values placed on Town buildings, especially the Emergency Services Building. The Clerk-Treasurer was directed to get a quote and timeline from the Town Assessor to place values on them. There was a question about insurance against cyber-attacks; the Clerk-Treasurer will get clarification on such coverage.
 - I. Consideration of process to fill upcoming Deputy Clerk vacancy: Deputy Clerk Sue Kyle has indicated she will be leaving at the end of December. Discussion was to advertise locally and soon, with a start date after January 1st. Banigan did not want to have to train someone new during tax collections in December. She suggested a starting wage of \$22/hour, Hampton suggested a bump at 6 months. Banigan also suggested allocating hours for 2-3 days per week rather than just 2 as Sue Kyle as been working, to allow for overlap with Amber Steele for training purposes and flexibility for slower times of the year. She plans to add Office Assistant to the Deputy Clerk title when she advertises to appeal to more applicants who may not know what a Deputy Clerk is. There was general agreement with this plan.
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- A. Report of Road Right-of-Way permits issued: One permit has been issued since the last meeting, to Alliant/Intercon to upgrade gas lines at 2667 Vilas Road.
 - B. There was a leak in the ceiling in the men's room at the Town Hall. The crew replaced the insulation and ceiling tile, and sealed the leak which was around a furnace pipe. They plan to seal around all the pipes going through the roof. Dresen said he got a quote last year at budget time to seal the roof, Hampton asked him to get a new one for the Board to consider with the 2024 budget.
- IV. CLERK-TREASURER'S OFFICE UPDATE: Nothing to report.
- V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that the Dane County Lakes and Watershed Commission will have an opening, and reminded others about the DCTA meeting on November 2nd regarding ATV routes. He also reported on notice from the Village about plans for 20 duplexes along CTH BB in Shady Grove.
- VI. COMMITTEE REPORTS:
- A. Emergency Government Committee: Nothing to report.
- VII. **MOTION** by Williams/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:13 P.M.
- Kim Banigan, Clerk-Treasurer – APPROVED 11-06-2023

**TOWN OF COTTAGE GROVE
RESOLUTION 2023-10-16**

**CONDITIONAL APPROVAL OF A PRELIMINARY PLAT FOR
SWALHEIM BUSINESS PARK**

WHEREAS, Duane Swalheim (the “Developer”), on behalf Swalheim 2011 Revocable Trust, which owns the property described as Lot 4, Certified Survey Map No. 15140 (the “Subject Property”) has requested approval of a preliminary plat for the Subject Property; and,

WHEREAS, the Developer submitted an application for preliminary plat approval and the preliminary plat review fee to the Town of Cottage Grove (the “Town”); and,

WHEREAS, the proposed preliminary plat, Swalheim Business Park, consists of Lots 1-10 for commercial business development, Outlot 1, and a new street, and is located in the SW ¼ of the SW ¼ of Section 27, T7N, R11E, in the Town; and,

WHEREAS, the Plan Commission recommended approval of the Preliminary Plat to the Town Board subject to conditions, as stated in Plan Commission Resolution 2023-10-16; and,

WHEREAS, following a review of information presented at the Plan Commission meeting and receiving recommendations of staff, the Town Board approves the Preliminary Plat for Swalheim Business Park, subject to certain conditions;

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

The Town of Cottage Grove Board hereby approves the Swalheim Business Park Preliminary Plat subject to the following conditions:

1. The Developer is required to develop the Preliminary Plat in compliance with all applicable State statutes and Town ordinances and in accordance with generally acceptable engineering standards in the Town, as determined by the Town Engineer.
2. The Developer shall obtain from County Land and Water Resources Department (“LWRD”) all reviews and permits necessary for: (a) soil and erosion control within the Preliminary Plat; and, (b) stormwater management facilities that fully satisfy County requirements and address stormwater runoff issues related to the Preliminary Plat.
3. The Developer shall provide the Town written certification from the Developer’s engineer, in the same format as required by County LWRD, that the stormwater management facilities as-built are in compliance with all applicable permits and are operating in accordance with the approved design.

4. The Developer's engineer shall work with the Town Engineer to establish design requirements and construction standards for the street improvements within the Plat and the improvements to North Star Road related to this Preliminary Plat.
5. The Developer shall enter a Development Agreement with the Town regarding the development of the Preliminary Plat. The Development Agreement shall be drafted by the Town Attorney and reviewed by the Town Engineer and Town Board. When approved by the Town Board, the Development Agreement shall be executed by and between the Developer and Town. The Final Plat shall not be signed by the Town until the Development Agreement is fully executed.
6. The Developer shall obtain written confirmation from the Town Engineer of "no objection" to the Construction Plans and Specifications for all public improvements prior to construction.
7. The Developer shall obtain approval of the Preliminary Plat from the Cottage Grove Fire Department and the Deer-Grove EMS District and present such approval to the Town.
8. The Developer shall obtain written confirmation of appropriate rezoning of the Preliminary Plat from Dane County and present such confirmation to the Town.
9. Developer shall satisfy all conditions articulated in the Town Engineer's letter reviewing the preliminary plat, dated August 23, 2023.
10. In addition to those outlined above, the Developer shall obtain all required approvals from other approving authorities, as required by law.
11. The Developer shall promptly reimburse the Town for all costs and expenses incurred by the Town in connection with the review and approval of the Preliminary and Final Plat, including, but not limited to, the costs of professional services incurred by the Town for the review and preparation of required documents, attendance at meetings, or other related professional services.
12. The Town Board's approval of the Preliminary Plat expires one hundred eighty (180) days from the date of adoption of this Resolution unless the Developer has satisfied all conditions of approval stated herein. Time is of the essence. If the Developer encounters an unforeseen development delay, it shall immediately advise the Town Clerk and may request an extension, which is subject to the approval of the Town Board.

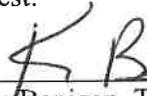
The above and foregoing Resolution was adopted at a meeting of the Town Board of the Town of Cottage Grove held on the 16th day of October, 2023, by a vote of 5 in favor and 0 opposed.

TOWN OF COTTAGE GROVE



Kris Hampton, Town Board Chair

Attest:



Kim Banigan, Town Clerk

Incorporated by Reference:

Developer's Preliminary Plat Application
Plan Commission Resolution 2023-10-16

TOWN OF COTTAGE GROVE
TOWN BOARD 2024 BUDGET WORKSHOP
OCTOBER 30, 2023

1. Notice of the meeting was properly posted at the Town Hall and on the Town's web site. Town Chair Kris Hampton, Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, as well as Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and Deer-Grove EMS Chief Eric Lang.
2. Hampton called the meeting to order at 6:30 P.M.
3. 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: 2024 Employee Compensation: **MOTION** by DuPlayee/Williams to move into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** Chief Lang stepped out, the door and virtual meeting were locked, and recording was paused. The closed session began at 6:31 PM.
4. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by Williams/DuPlayee to reconvene in open session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 6:54 P.M., the door and virtual meeting were unlocked, recording was resumed, and Chief Lang returned. **MOTION** by Anders/Williams to approve 2024 wages as discussed in the closed session: \$36.00/hour for Kim Banigan, \$26.00/hour for Amber Steele and Danielle King, all other employees will get a 6% increase. The new hire Deputy Clerk will start at \$22/hour, with a potential \$1.00 increase after 6 months of employment. **MOTION CARRIED 5-0.**
5. Review of Town Fees as per TCG Ord. Sec. TCG Ord. sec. 07.01(2)(a): Discussion was to increase Emergency Response Reimbursement fees to \$20/hour for the first hour, \$15/hour for each additional person. A resolution to formally adopt this change will be considered at the next meeting.
6. Discuss/Consider Town budget for Fiscal Year 2024: Banigan and Hampton had prepared a proposed budget in preparation for tonight's meeting.
 - a. Revenue Estimates: No adjustments were made to the estimates provided.
 - Hampton suggested rather than drawing on the 2022 10-year note for the new F550 truck, a new 1-year note be secured instead. This would reduce the interest paid for the F550 and leave more of the 10-year note proceeds for road maintenance projects. There was no interest in this alternative from the rest of the board.
 - Banigan stated that 41210 Refuse Collection and 41230 Recycling collection depend on special charges and may change if additional occupancy permits are issued before she submits the charges to the County.
 - b. Expense Estimates:
 - **MOTION** by Anders/Williams to increase per diem payments for the Plan Commission and Emergency Government Committee to \$35.00. **MOTION CARRIED 5-0.**
 - 50710 · Town Hall Maintenance includes \$1,085.00 for rekeying of all Town-owned buildings, \$200.00 for office carpet cleaning, and \$48,500 for roof repair. Williams thought additional quotes were needed for each of these, but after discussion she relented.
 - 52000 · Highway Maintenance Contracts includes the usual \$350,000 worth of short

TOWN OF COTTAGE GROVE
TOWN BOARD 2024 BUDGET WORKSHOP
OCTOBER 30, 2023

term borrowing, along with \$6,000 of ATC funds from 2012 and the balance of the 2022 LT Note after paying for Squad 1, for a total of \$544,159.82.

- c. Capital Expenditures: The Village is proposing using 2022 Equalized Values to split the cost of the new squad because those were in effect when the purchase was approved. The Town Board believes that the cost should be split using 2023 Equalized Values, which will be in effect at the time of delivery. The budget reflects the Town's belief.
- d. Use of Surplus Funds:
 - The \$6,000 from an ATC agreement in 2012 was intended for highway maintenance. This will be used in 2024 to allow a \$6,000 increase in 52000 · Highway Maintenance Contracts
 - Unassigned funds will be used to balance the budget (~\$78,000). The recent un-budgeted sale of the old Tender 1 for \$ 62,907.00, and more unbudgeted revenue for maintenance of portions of Hope and Femrite Roads annexed by the City of Madison are expected to flow into unassigned funds.
 - Discussion led to the following allocation of the remaining \$124,591.39 of ARPA funds:
 - Koshonong Creek Study \$ 5,000.00
 - Vilas Road Culvert \$68,750.00
 - CGFD Pagers \$10,086.00
 - Squad 1 Outfit \$ 3,025.80
 - ESB Security System \$34,760.00
 - Town Hall Roof \$ 2,969.59

7. Discuss/Consider approval of Shared Services budgets:

- a. Emergency Services Building 2024 Budget: **MOTION** by Williams/Anders to approve the 2024 ESB budget, including an additional \$70,000 for the security system upgrade and annual licensing fee, for a total of \$74,374.90. **MOTION CARRIED 5-0.** (The Commission did not include the security system in their budget because it was not known if the Village will support it, but indications now are that they will. \$35,000 was added to 41690 · Village Emergency Bldg Maint for the Village's half of this expense.)
- b. Cottage Grove Fire Department 2024 Budget: **MOTION** by Anders/Fonger to approve the CGFD 2024 budget, including \$218,473.00 in operating expenses and \$735,863.00 in capital purchases. **MOTION CARRIED 5-0.** The Town's share will be 33.62% based on 2023 Equalized Values.
- c. Deer-Grove EMS 2024 Budget: **MOTION** by Williams/Anders to approve the 2024 DGEMS Budget at \$2,220,190, including \$130,000 of capital purchases. **MOTION CARRIED 5-0.** The Town's share of this will be \$307,522.48 (28.38%).

8. Discuss/Consider approval of quotes for:

- a. Town Hall Carpet Cleaning: One quote was obtained from Zero Res for \$185.00. Banigan contacted two other companies but received no response. **MOTION** by Williams/DuPlayee to approve expenditure of up to \$185.00 to clean the Town Office carpet in 2024. **MOTION CARRIED 5-0.**
- b. Town Hall Roof: Great Lakes Roofing has agreed to honor their quote for \$48,500.00 from

TOWN OF COTTAGE GROVE
TOWN BOARD 2024 BUDGET WORKSHOP
OCTOBER 30, 2023

a year ago. **MOTION** by Anders/DuPlayee to approve the quote of up to \$48,500.00 to furnish and install a permaseal hot-air seam welded reinforced membrane on the Town Hall roof. **MOTION CARRIED 5-0.**

- c. Re-keying of Town-owned building locks: Capital Lock had provided two quotes: one to re-key all locks, including the master key, for \$1,085.00, and one to just re-key the Town Hall and Flynn Hall entry locks for \$520.00. Banigan had contacted two other locksmith companies but received no response. **MOTION** by Williams/DuPlayee to approve up to \$1,085.00 for Capital Lock to re-key all Town buildings, including master keys, in 2024. **MOTION CARRIED 5-0.**

9. Set the date for:

- a. A Public Hearing for the Town of Cottage Grove Budget for Fiscal Year 2024.
- b. A Special Meeting of the Electors, pursuant to s.60.12(1)(c), Wis. Stat., to adopt the 2023 town tax levy to be paid in 2024 pursuant to s.60.10(1)(a), Wis. Stat.

MOTION by Williams/DuPlayee to hold the public hearing and special meeting of the electors on Monday, December 4th, beginning at 7:00 P.M. **MOTION CARRIED 5-0.**

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

Kim Banigan, Clerk-Treasurer
Approved 11-06-2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
NOVEMBER 6, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen and Attorney William Cole. EMS Chief Eric Lang attended virtually.
- C. Hampton called the meeting to order at 6:56 P.M. After the flag pledge, there was a moment of silence for recently deceased Fire Fighter Gavin Wendricks.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the October 16, 2023 Joint Town Board/Plan Commission meeting, October 16, 2023 Town Board Meeting, and October 30, 2023 Budget Workshop as printed. **MOTION CARRIED 5-0.** **MOTION** by DuPlayee/Anders to approve the minutes of the closed session held on October 30, 2023, and to keep them closed until the 2024 budget is finalized. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36644-36678, EFTs in the amount of \$31,745.93, and voided check #36632. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of October per diems as shown, noting that the dollar amount is missing on the report for Williams. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Plan Commission Recommendations: Amy Miles with pb2 Architecture and Engineering, applicant, Equipment Share, owner, parcel 0711-273-0030-0 on North Star Road: Seeking Conditional Use Permit for outdoor storage of materials and equipment: Amy Miles and Pranavi Koka were present virtually, but they were not asked any questions and did not speak. **MOTION** by DuPlayee/Anders to accept the Plan Commission's recommendation to approve the CUP for outdoor storage under the condition that all equipment be stored in transport position. **MOTION CARRIED 5-0.**
- B. Discuss/Consider Christmas and New Years office closures and holiday dates for employees: **MOTION** by DuPlayee/Williams to close the office on December 25, 26, and January 1. Highway Department employees will also have January 2nd off, but the office will remain open for April election candidate filings. (Office staff are allowed a floating holiday in lieu of this day). **MOTION CARRIED 5-0.**
- C. Set date for first Town Board meeting in January: Consensus was to hold the first meeting in January on January 2nd.
- D. Consideration of Resolution 2023-11-06 Adopting Certain Fees: **MOTION** by Fonger/DuPlayee to adopt the resolution as presented. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: No permits have been issued since the last meeting.
- B. The crew has been working on putting mowers away and getting snow removal equipment ready. The compost site will close this Friday.

IV. CLERK-TREASURER'S OFFICE UPDATE: Illnesses have led to short staffing of the office recently.

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
NOVEMBER 6, 2023

- V. BOARD REPORTS AND COMMUNICATIONS: Hampton reported that he attended a NCR meeting in Sun Prairie about the Koshkonong creek. The use of federal funding was discussed to study and control drainage from the creek.
- VI. COMMITTEE REPORTS:
- A. Deer-Grove EMS Commission: Nothing to report.
 - B. Cottage Grove Fire Commission: Nothing to report.
- VII. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: 1) Development Agreement for Swalheim Business Park 2) Development Agreement with RG Huston Company, Inc. and 3) Negotiating Position Relative to Fire Protection Agreement for the Cottage Grove Fire: **MOTION** by DuPlayee/Williams to move to closed session for the reasons stated above. **MOTION CARRIED 5-0 by roll call vote.** Dresen left, Lang signed out, the virtual meeting was locked and recording was suspended. The closed session began at 7:35 P.M.
- VIII. CONSIDER/ADOPT MOTION TO RECONVENE TO OPEN SESSION to take any action necessary from closed session: **MOTION** by DuPlayee/Williams to reconvene in open session. **MOTION CARRIED 5-0** by roll call vote. The closed session ended at 8:24 P.M., the door was unlocked, the virtual meeting was opened, and recording was resumed. There was no action as a result of the closed session.
- IX. **MOTION** by Williams/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:24 P.M.

Kim Banigan, Clerk-Treasurer
Approved 11-20-2023

**TOWN OF COTTAGE GROVE
TOWN BOARD RESOLUTION NO. 2023-11-06**

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

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

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

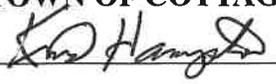
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, does hereby adopt the following fees to be effective upon posting of this resolution: (Relevant ordinance or comprehensive plan sections are indicated in brackets following each fee)

Alcohol Beverage Fees [TCG §05.03 (2)]	
Reserve “Class B” Intoxicating License [§ 125.51(4), Stats].....	\$10,000.00
Class “A” Fermented Malt Beverage License [§ 125.25, Stats.]	\$500.00
Class “B” Fermented Malt Beverage License [§ 125.51(2), Stats].....	\$100.00
“Class A” Intoxicating Liquor License [§ 125.51(2), Stats.].....	\$500.00
“Class B” Intoxicating Liquor License [§ 125.51(3)(b), Stats.].....	\$500.00
“Class B” Winery License [§ 125.51(3am), Stats].....	\$100.00
“Class C” Retail Wine License [§ 125.51(3m), Stats].....	\$100.00
Temporary Class “B” Fermented Malt Beverage License [§ 125.26(6), Stats].....	\$10.00
Temporary “Class B” Wine License [§ 125.51(10), Stats.].....	\$10.00/day
Operator’s License [§ 125.17(1-3,6), Stats.]	\$25.00
Manager’s License [§§ 125.18, 125.32(10 and 125.68(1), Stats].....	\$25.00
Blasting Permit Fee [TCG §18.01]	
Short Term	\$250.00
Long Term	\$500.00
Change of Land Use Fee [TCG §15.20].....	\$300.00
Cigarette and Tobacco Products Retailer License Fee [TCG §07.02(1)]	\$50.00
Dangerous Animal License [TCG §20.20(7)]	\$150.00
Dog License Fee (in addition to County Fees) [TCG §20.01(4)]	
Per dog.....	\$4.50
Multi-Dog (up to 12)	\$10.00
Driveway Permit Fee [TCG §08.02]	\$150.00
Driveway Permit Deposit [TCG §08.02].....	\$1,000.00
Emergency Response Reimbursement Fees [TCG §07.02(3)]	
CGFD Ladder 1	\$400.00/hour
CGFD Engine 3	\$250.00/hour
CGFD Engine 4	\$250.00/hour
CGFD Squad 1.....	\$200.00/hour
CGFD Tender 1.....	\$150.00/hour
CGFD Tender 2.....	\$150.00/hour
CGFD Brush 1	\$100.00/hour
Personnel (minimum of 1 hour, rounded to next full hour for any minute over the hour)	

First hour	\$1520.00/hour
Each additional person	\$1015.00/hour
Water	\$10.00/1000 gal
Foam	\$35.00/gal
Oil Dry	\$10.00/40 lb. bag
Fire Works Use Permit Fee [TCG §18.02(4)].....	\$50.00
Hall Rental Fees (Town Hall or Flynn Hall) [TCG §07.02(5)]	
User Fee – Town or Village of Cottage Grove Resident	\$150.00
User Fee - Non-Resident	\$1,000.00
Security Deposit – Town or Village of Cottage Grove Resident.....	\$100.00
Security Deposit – Non-Resident	\$500.00
Handling Fee [TCG §07.02(4)]	
per hour.....	\$20.00
minimum.....	\$20.00
Impact Fees	
Park Land Impact Fee (per new dwelling unit) [TCG §15.03(4)(d)3]	\$375
Recreation Improvement Impact Fee (per new dwelling unit) [TCG §15.03(4)(d)3]	\$1,160
Land Division Fees [TCG §15.19]	
Concept Plan.....	\$300.00
Preliminary Plat,	\$350.00 + \$25/lot
Final Plat and Comprehensive Development Plan	\$350.00 + \$25/lot
Certified Survey Map	\$125.00
Mailing List Fees [TCG §07.02(6)]	
First 1,000 names.....	\$25.00
Per 1,000 in excess of 1,000	\$20.00
(Fees are tripled if gummed labels are requested)	
Non-metallic Mining Permit Fee [TCG §17.02]	\$300.00
Overweight Permit Fees [TCG §07.02(8)].....	\$20.00 per power unit
Bond for variance to weight limits [TCG §09.07].....	\$1 million/mile of road permitted
Park Organized Event Administrative Fee [TCG §10.05].....	\$25.00
Peddlers and Transient Merchants Permit Fee [TCG §11.07(4)(c)].....	\$50.00
Photocopying Fee [TCG §07.02(9)]	
Black & White copies	\$.25/page
Color Copies:.....	\$.50/page
Plan Commission, Special Meeting of [TCG §15.01(6)]	\$300.00
Road Right-of-Way Permit Fee [TCG §08.03]	
Base Fee.....	55.00
Boring, trenching or plowing (small projects).....	\$45.00 per boring/trenching/plowing
Open cut pavement	\$220.00/open cut
Trenching/Plowing in excess of 1,320 ft. (large projects)	\$110.00/# of lineal feet/1,000
Construction of vault or other structure.....	\$110.00 per vault or structure
Deposit.....	Set by the Town Board on a case-by-case basis

Town Board, Special Meeting of [TCG §2.03(4)] \$300.00
 Statement of Real Property Status (Title Search) Fee [TCG §07.02(10)]
 Paid with request \$25.00
 Invoiced \$50.00
 Waste Treatment, Disposal or Storage Site Application Fee [TCG §16.04(6)(c)] \$250.00

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 6TH day of November, 2023.

TOWN OF COTTAGE GROVE


 Kris Hampton, Town Chair

ATTEST:


 Kim Banigan, Town Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
NOVEMBER 20, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, Deputy Jennifer Grafton and Atty. William Cole. DGEMS Chief Eric Lang attended virtually.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the November 6, 2023 open session as printed. **MOTION CARRIED 5-0. MOTION CARRIED 5-0. MOTION** by DuPlayee/Anders to approve the minutes of November 6, 2023 closed session, and to keep them closed until the matters are settled. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36679-36712, EFTs in the amount of \$13,048.74, and voided check #36666. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$1,930.33 to General Engineering for October building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review October Police activities: Deputy Grafton presented the monthly report, which showed 224 calls for service (158 handled by contract deputies) and 139 citations (115 by contract deputies). She reported no issues with Warm Belly Farm's fall festival, and said that the speed board on Vilas between CTH BB and Gaston Road is not showing a significant speeding problem. Vilas Hope, Baxter and Gaston Roads continue to be the biggest problems.
- B. Discuss/Consider approval of Development Agreement for Swalheim Business Park: It was noted that the amount of the required letter of credit is not known, but Atty. Cole said that the developer's attorney is fine with the language in the agreement which states it will be in an amount approved by the Town Engineer. Duane Swalheim was present and raised no concerns over the agreement. **MOTION** by DuPlayee/Fonger to approve the agreement as drafted. **MOTION CARRIED 5-0.**
- C. Discuss/Consider Emergency Government Committee recommendation for applying for FFY23BRIC funding to rebuild the portion of Ridge Road that floods frequently: Stormwater Consultant Chuck Nahn suggested that the Town apply for this funding. The Emergency Government Committee reviewed the suggestion and recommended moving forward. Nahn's estimate to complete the initial application is \$680-\$1020. Town and Country's preliminary estimate to raise the road is \$800,000 in 2024, adding an additional \$40,000 to \$50,000 per year for inflation. **MOTION** by Fonger/DuPlayee to approve Chuck Nahn to submit the application, with the cost to come out of Unassigned Funds. **MOTION CARRIED 5-0.**
- D. Discuss/Consider approval of Lock Box Service Agreement for tax collection: **MOTION** by Williams/DuPlayee to approve the agreement as drafted. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: No permits have been issued since the last meeting. Restoration work is going well.

TOWN OF COTTAGE GROVE
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NOVEMBER 20, 2023

IV. CLERK-TREASURER'S OFFICE UPDATE: She recently attended election training for handling threats and intimidation of poll workers and voters. Tax preparation activities are in the works, the field portion of the 2023 audit is scheduled for February 5-6, 2024.

(Note that some of the items below were discussed out of agenda order).

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton distributed a proposed draft for revisions for the Deer-Grove EMS Agreement regarding the funding formula. This will be on the next agenda.
- B. Hampton brought up the topic of PFAs potentially spread on 19 farms in the Town by MetroGro. Discussion was that there is no standard of dangerous level, testing is very costly, and there is no remediation, so there is not anything the Town can do. Duane Swalheim was in the audience and said he was notified about this even though he has never had MetroGro spread on his lands. Based on this, it was believed the affected landowners have been notified.
- C. Hampton suggested including a discussion ATV/UTV routes on the agenda for the second meeting in January.
- D. Williams reported on two meetings of the Cottage Grove Chamber of Commerce. Highlights were:
 - 1. Village of Cottage Grove Library programming cards, including a very successful Teddy Bear sleepover at DGEMS.
 - 2. Christmas in the Grove parade scheduled for December 1st.
 - 3. Jon Russell finished his term as president of the Chamber of Commerce. Town Resident Heath Stracka will continue as President of the Cottage Grove Community Fund, with Town Resident Keri Robbins continuing as Vice President.
 - 4. 911 Rebar towers were given to the Rugby Club for a monument.

VI. COMMITTEE REPORTS:

- A. Emergency Government Committee: The tabletop exercise is scheduled to begin at 5:00 p.m. on December 12th.
- B. Deer-Grove EMS Commission: Williams said the other municipalities have already discussed the proposed changes to the DGEMS Agreement. The Village of Deerfield has agreed to the funding formula changes proposed by the Village of Cottage Grove, even though they will pay more. The Town of Cottage Grove would stand to pay less. DGEMS is trying to hire more staff, but is finding that surrounding districts have higher starting salaries.

VII. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: 1) Development Agreement for Swalheim Business Park 2) Development Agreement with RG Huston Company, Inc. and 3) Negotiating Position Relative to Fire Protection Agreement for the Cottage Grove Fire: Dale, Dwight, Wade and Brad Huston were present, along with their Attorney Chris Smith. Attorney Cole advised that any discussion with the Hustons should be held in open session. It was determined that there was no need to go into closed session for 2) or 3) above either. Hampton reported that the Hustons are not interested in funding any further research into what constitutes sewer service for formation of a TID if there is not enough outflow for the sewage pump that would be needed to pump to MMSD. He suggested that the Town Board approve spending the \$1,000 to \$4,000 that Atty. Cole estimated it would take to do this. Chris Smith, Attorney for the Hustons, said he feels there is a way to clear the TID hurdle. He offered to do the research at his client's expense and confer with the Town attorney. **MOTION**

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by DuPlayee/Anders to allow Atty. Smith to correspond with the Town Attorney, and approve the Town Attorney's time to review his work. **MOTION CARRIED 5-0.**

VIII. **MOTION** by Williams/DuPlayee to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 7:58 P.M.

Kim Banigan, Clerk-Treasurer
Approved 12-04-2023

TOWN OF COTTAGE GROVE
PUBLIC HEARING FOR 2024 BUDGET
SPECIAL TOWN MEETING OF THE ELECTORS
DECEMBER 04, 2023

PUBLIC HEARING FOR 2024 TOWN OF COTTAGE GROVE BUDGET

- I. On November 17, 2023, notice of the public hearing was published in the Wisconsin State Journal and posted, along with a summary of the proposed budget, at the Town Hall, Doubledays, Nora's Tavern, and on the Town's internet site and Facebook page. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan and Highway Superintendent Dan Dresen. Town Resident Wayne Wollin was also present, along with one other man who did not sign in, Fire Chief Nick Archibald and DGEMS Chief Eric Lang.
- I. Hampton called the public hearing to order at 7:00 P.M. There were no questions or comments regarding the proposed 2024 budget
- II. **MOTION** by DuPlayee/Williams to close the public hearing. **MOTION CARRIED 5-0.** The public hearing ended at 7:01 P.M.

SPECIAL TOWN MEETING OF THE ELECTORS

- I. Notice of the special town meeting of the electors was published and posted along with the public hearing notice for the 2024 budget, as stated above. Attendance was also as stated above for the 2024 budget public hearing. Including Town officials and staff, there were 9 Town electors present, attendance sheet available in the Clerk's office.
- I. Hampton called the Special Meeting of the Electors to order at 7:01 P.M.
- III. Discuss/Consider adoption of the 2023 town tax levy, to be paid in 2024 pursuant to s.60.10(1)(a), Wis. Stat. **MOTION** by Daniel Dresen/Steve Anders to adopt the 2023 town tax levy at \$1,559,381.00. **MOTION CARRIED 9-0** by voice vote.
- IV. **MOTION** by Steve Anders/Mike Fonger to adjourn to adjourn. **MOTION CARRIED 9-0.** The meeting ended at 7:04 P.M.

Kim Banigan, Clerk-Treasurer

Approved 12/18/2023

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
DECEMBER 4, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, EMS Chief Eric Lang and Fire Chief Nick Archibald.
- C. Hampton called the meeting to order at 7:04 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): **MOTION** by Williams/DuPlayee to approve the minutes of the November 20, 2023 meeting with corrections to Williams' board report. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Fonger to approve checks #36713-36737, and EFTs in the amount of \$21,515.59. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve November per diem payments as presented. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Discuss/Consider approval of 2024 Town Budget: The Clerk-Treasurer had provided a memo detailing changes she had made since the October 30th budget meeting to reflect new information that had come in. **MOTION** by DuPlayee/Williams to approve the 2024 budget as presented, with total revenues and expenditures at \$4,517,791.27. **MOTION CARRIED 5-0.**
- B. Bid Opening for Town Hall Roof Project: Only one bid had been submitted, by Great Lakes Roofing Corporation for \$48,500.00.
- C. Discuss/Consider awarding of bid for Town Hall Roof Project: **MOTION** by Anders/Williams to award the bid to Great Lakes Roofing Corporation for \$48,500.00. **MOTION CARRIED 5-0.**
- D. Plan Commission Recommendations:
 - 1. Jeff Schlieckau, petitioner and property owner, parcel #0711-193-8430-0 on Gala Way – proposing to use two transferred RDUs to create two residential lots (RR-1 and RR-4) and one NR-C lot: **MOTION** by Williams/DuPlayee to accept the Plan Commission's recommendation to approve the rezone of Lot 1 (2.00 acres) from FP-1 to RR2, the rezone of Lot 2 (4.12 acres) from FP-1 to RR-4, and Lot 3 (10.66 acres) from FP-1 to NR-C (or whatever the County recommends as long as it is deed restricted against residential development). It was noted that Lot 2 is allowed to exceed the 2.0 acre maximum for new residential parcels due to the odd shape of the parent parcel and the best location for a septic system. **MOTION CARRIED 5-0.**
 - 2. Discuss/Consider combining CUP and Design Review steps: A memo from Town Planner Mark Roffers suggested an in-between approach that might include an accurate conceptual site plan, a viable screening plan if the CUP involved outdoor storage, maybe a front-only building elevation, and any other things needed to address the current problem where the County is looking for more site information before approving the CUP, but the Town does not require it until the design review process after the CUP is approved. **MOTION** by Anders/DuPlayee to direct Roffers to suggest the ordinance and form revisions to implement this in-between approach. **MOTION CARRIED 5-0.**

TOWN OF COTTAGE GROVE
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- E. Discuss/Consider installing Knox box for the Town Garage: **MOTION** by Fonger/DuPlayee to order a Knox box for the Town Garage, cost not to exceed \$550.00 to come out of the building maintenance fund, or unassigned funds if it will go over budget. **MOTION CARRIED 5-0.**
 - F. Consideration of attendees for DCTA Broadband Planning Meeting on December 6th: Banigan and Hampton will attend.
 - G. Choose interviewers and interview dates for Office Assistant/Deputy Clerk applicants: **MOTION** by Anders/Hampton to have Williams, DuPlayee, Banigan and Steele conduct the interviews on December 18-19. **MOTION CARRIED 5-0.**
- III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:
- A. Report of Road Right-of-Way permits issued: None since the last meeting.
 - B. Dressen is looking at a brine system for pre-treating roads before winter storms.
- IV. CLERK-TREASURER'S OFFICE UPDATE: The Democratic and Republican parties of Dane County have submitted their lists for 2024-25 Election Inspectors. She sent them letters asking for confirmation that they are willing to accept the nomination. Election Inspector appointments will be on the next agenda.
- V. BOARD REPORTS AND COMMUNICATIONS:
- A. Hampton reported that he gave the deputies more leeway in overtime hours. Recent Fire Inspections flagged the Emergency Services building for no Knox box and for lack of proof of annual inspection of the fire alarm system. Chief Archibald will look into the issue with the alarm system. Anders suggested taking a look at the Knox Box ordinance at the next meeting, possibly revising it to require a Knox box for ALL commercial buildings. The Police Station was also flagged on the alarm maintenance issue. Hustons will address that as the landlord.
- VI. COMMITTEE REPORTS:
- A. Natvig Landfill Monitoring Committee: Business as usual, approved payment of bills.
 - B. Cottage Grove Fire Commission: Chief Archibald reported that Ladder 1 is scheduled for replacement in 2028. This is not a requirement, but strongly recommended by NFPA. Suppliers estimate a 4-year lead time, which would mean ordering the replacement in 2024. The price could be locked in but no payment would be required until delivery. Chief Archibald recommended getting a contract signed in January to avoid a February price increase. He said the replacement is already spec'd out. Consensus was for him to get a quote for the December 18th meeting.
- VII. Consider/Adopt motion to move into closed session per Wis. Stats. 19.85(1)(e) for deliberation, negotiation or conducting specified public business whenever competitive or bargaining reasons require a closed session: Proposed revisions to the Deer-Grove EMS Agreement: **MOTION** by Williams/DuPlayee to go into closed session for the reason stated above. **MOTION CARRIED 5-0 by roll call vote.** Chief Lang was asked to remain for the closed session. All other audience members left, the door and virtual meeting were locked. The closed session began at 8:06 p.m.
- VIII. **MOTION** by Anders/DuPlayee to arise from closed session. **MOTION CARRIED 5-0 by roll call vote.** The closed session ended at 8:48 p.m., the door and virtual meeting were unlocked, and there was no action taken as a result of the closed session.
- IX. **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:48 P.M.

Kim Banigan, Clerk-Treasurer

TOWN OF COTTAGE GROVE
TOWN BOARD MINUTES
DECEMBER 18, 2023

I. ADMINISTRATIVE

- A. Notice of the meeting was posted at the Town Hall and on the Town's website.
- B. Town Chair Kris Hampton and Supervisors Mike Fonger, Steve Anders, Kristi Williams and Mike DuPlayee were present, along with Clerk-Treasurer Kim Banigan, Highway Superintendent Dan Dresen, EMS Chief Eric Lang, Fire Chief Nick Archibald, Assistant Fire Chiefs April Hammond-Archibald and Jess Robinson and Deputy Eric Miller.
- C. Hampton called the meeting to order at 7:00 P.M.
- D. Discuss/Consider approval of minutes of previous meeting(s): The Clerk-Treasurer stated that a Dane County Zoning representative pointed out that the 2.0-acre parcel approved on December 4th for rezone to RR-1 should really be RR-2 based on its size. **MOTION** by Williams/DuPlayee to approve the minutes of the December 4, 2023 public hearing and special meeting of the electors as printed, and to approve the minutes of the December 4, 2023 Town Board open session with corrections: Change RR-1 to RR-2 in item D. 1, and change the motion in item VII. to Williams/DuPlayee. **MOTION CARRIED 5-0.** **MOTION** by DuPlayee/Williams to approve the closed session minutes from December 4, 2023 with corrections and make them an open record: Change the motion in item I. to Williams/DuPlayee. **MOTION CARRIED 5-0.**
- E. Finance Report and Approval of Bills:
 - 1. **MOTION** by DuPlayee/Anders to approve checks #36738-36769, and EFTs in the amount of \$16,453.26. **MOTION CARRIED 5-0.**
 - 2. **MOTION** by Anders/DuPlayee to approve payment of \$9,820.00 to General Engineering for December building permits. **MOTION CARRIED 5-0.**
- F. Public Concerns: None.

II. BUSINESS

- A. Review November police activities: Deputy Miller introduced himself and said that a speed board was recently moved from Vilas Hope Rd. to Baxter Rd. Traffic enforcement has been up even with just the two of them. The monthly report showed 248 calls for service and 144 citations issued in November.
- B. Discuss/Consider approval of Advanced Life Support Program Intergovernmental Agreement on behalf of Deer-Grove EMS: Chief Lang explained that this agreement does not ask anything more of Deer-Grove EMS than they are already doing, but is important because it gives them an opportunity to participate in the system and help direct the future. **MOTION** by Williams/Anders to approve the agreement as presented. **MOTION CARRIED 5-0.**
- C. Discuss/Consider quote to replace CGFD Ladder 1 in 2028: Chief Archibald had provided a quote from Reliant Fire Apparatus, Inc. for a Pierce Enforcer 100; Mid-Mount Tower for \$2,124,307 payable upon delivery in 2028. He also provided a Ladder Truck Replacement Summary from the Cottage Grove Fire Department outlining the purpose, background and process of the request to replace the 2004 Ladder truck in 2028. Prices from three other manufacturers were included in the Summary: E-One, Ferrara, and KME, all with higher prices. Chief Archibald said that the Village Board approved the quote from Pierce Manufacturing earlier this evening, with the stipulation that the Town Board also approve it, and that none of the prepayment options be selected. **MOTION** by DuPlayee/Williams to approve the quote from Reliant Fire Apparatus for the Pierce Ladder Truck, \$2,152,609.00 to

TOWN OF COTTAGE GROVE
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be split with the Village of Cottage Grove based on the 2028 budget split upon delivery in 2028. **MOTION CARRIED 5-0.**

- D. Discuss/Consider revising TCG §04.07 Fire Protection within Building – Knox Box: Assistant Fire Chief Hammond-Archibald said that there are usually four situations that require a Knox Box. The Town’s ordinance has three of them, the fourth is a call-out of specific types of commercial buildings, for example daycare facilities, nursing homes, etc. **MOTION** by DuPlayee/Williams to table until the January 2nd meeting.
- E. Discuss/Consider recommendation from General Engineering Company regarding Delegated Municipal Authority and revisions to TCG Chapter 12 – Building Code: **MOTION** by Fonger/Williams to forward the Request for Delegated Authority as completed by General Engineering Company to the state, and move forward with revising the Town’s ordinance as recommended. **MOTION CARRIED 5-0.**
- F. Consider appointment of 2024-25 Election Inspectors: The list of those willing to serve as election inspectors included 34 unaffiliated with any political party, one nominated by the Republican Party of Dane County and one nominated by the Democratic Party of Dane County. Three others nominated by the Republican Party declined to serve. **MOTION** by DuPlayee/Fonger to approve the list of Election Inspectors as presented, noting that Republican nominees Jim and Janet Oakley and Suzanne Pearson declined to serve. **MOTION CARRIED 5-0.**
- G. Consider appointment to fill Plan Commission vacancy: Mike Klinger provided notice at the November Plan Commission meeting that it would be his last. Only one letter of interest was received, from Tom Banigan. **MOTION** by Williams/DuPlayee to appoint Tom Banigan to finish Mike Klinger’s term as Plan Commissioner, which expires in May of 2024. **MOTION CARRIED 5-0.**
- H. Discuss/Consider insurance coverage options: **MOTION** by Fonger/DuPlayee to increase the Base Crime Limit from \$10,000 to \$50,000 for an additional premium of \$145.00, to decline the recommendation to increase the property deductible from \$1,000.00 to \$2,500.00, and to select the \$100,000 limit for Cyber Liability. **MOTION CARRIED 5-0.**

III. PUBLIC WORKS DEPARTMENT ACTIVITY UPDATE:

- A. Report of Road Right-of-Way permits issued: One permit was issued since the last meeting, to Spectrum for new fiber service to 2880 Siggelkow Road.
- B. Bell Ford expects the chassis for the new patrol truck to hit the assembly line on January 3rd.

IV. CLERK-TREASURER’S OFFICE UPDATE: Interviews for the Office Assistant/Deputy Clerk position are underway; she hopes to make a decision by the end of the week with a new hire beginning the first week of January. Tax collection has begun.

V. BOARD REPORTS AND COMMUNICATIONS:

- A. Hampton reported that the local landfill negotiating committee has scheduled a public hearing for March 6th at the Alliant Energy Center.

VI. COMMITTEE REPORTS:

- A. Emergency Government Committee: Fonger reported that the tabletop exercise went well, J. McClellan from Dane County will prepare a report for the committee to review and talk about what to improve on.

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VII. Alexis Padilla-Rodriguez, 4513 Baxter Road, was looking for guidance in dealing with a tree trimmer who made a mess of his and neighboring yards and is not responding to his requests for remediation. Dresen had pushed a big log from the road right-of-way on the property. A police report was filed by the neighbors. Small Claims court was the only recommendation that was made.

VIII. Adjournment: **MOTION** by DuPlayee/Williams to adjourn. **MOTION CARRIED 5-0.** The meeting ended at 8:23 P.M.

Kim Banigan, Clerk-Treasurer
Approved 01-02-2024