

SPECIAL BLOOMING GROVE TOWN BOARD MEETING JANUARY 6, 1993

PRESENT: Ampe, Moody, Sasso, B. Moody, Representatives of Wisconsin Department of Transportation, Senator Chuck Chvala, City of Madison, American Family Insurance and several property owners.

Meeting convened at 7:00 p.m. to discuss the proposed development of Zink Avenue.

Ampe explained that several of the properties on Bruns Avenue back up to Zink and are landlocked. The lots are large enough to be divided but access would have to be granted by developing Zink Avenue. Ampe had talked to Bernell Roble of City of Madison about that possibility. He felt the cost would be approximately \$50.00/front foot and would have to be special assessed to the property owners. The south side would be paid for by Blooming Grove property owners but the north side is in the City of Madison and would be paid for by American Family.

The Warners are the major property owner and they have indicated they are not willing to pay for the road unless they are assured they will be able to subdivide the lots. Al Martin of the City of Madison has indicated to Ampe that they would probably approve it because it is sewerred but they are not willing to put that in writing.

American Family representatives indicated they did not wish to make a comment at this time, they were only here to observe. Their concern is outflow from American Family. There are no plans to connect Zink to Hwy. 51 so it would be a dead-end street.

The only way to test if the City would approve it would be to do a Certified Survey for City approval. Abjornson asked if the City approved it what would happen next? Ampe indicated the town would approve the road if the majority of the property owners wanted this to happen. Abjornson said he would be willing to do a CSM for test purposes if the majority property owners would support this but he would not want to upset them if they did not. It was agreed a letter would be sent so the property owners could indicate their feeling privately, rather than in a meeting situation.

Some concerns were raised about the increased traffic and the effect on the neighborhood. There is no way to alleviate the problem since American Family is located at the end of Walbridge. Homes could only be built on the south side, which is in the town. Some of those present felt the cost of the road should be paid by the town. Ampe explained that new roads are special assessed to the property owners and can be paid for over a period of time.

It was left that a letter would be sent to the property owners asking for an indication from them as to what they would like to see happen. American Family will let us know how they wish to proceed and we will notify the property owners. Being no further discussion on Zink Avenue the meeting adjourned until 8:00 pm to discuss Milwaukee Street.

7:52 P.M. - Reconvened to discuss the proposed development of Milwaukee Street. DOT had a meeting with Wendy Swallow and Don Foster to address their concerns, one of which is the loss of parking spaces.

Another concern is the bike path that is being planned for that intersection. Ampe voiced concerns about the dangers for children. There is an overpass a block south they should be using. DOT responded that you can't make the people use it. The question was asked if cars and trucks have to follow the rules and the laws why don't bicycles. Rather than putting up signs stating "No Bicycles Allowed - Use Pedestrian Overpass" we are going to spend hundreds of thousands of dollars to create a bike path thru an extremely busy and hazardous intersection because the bicycle group lobbied the City of Madison for this. City of Madison responded that legislation passed in 1991 requires that bicycles be considered a method of transportation, rather than recreation and accommodations must be provided for them.

Ampe pointed out that with all the money that is being spent on this intersection there is still nothing being done to remedy the traffic on Milwaukee Street. DOT feels this will be addressed with longer green lights. There will not be lights at Milwaukee and Walbridge but there are plans for lights at Wittwer and Milwaukee, which is 1 block east.

Country Kitchen will have to be accessed from Gay Avenue, thru the residential area, which created a great deal of concern to the residents.

The parking lots of Fosters and Abes Printing are nearly being eliminated. DOT provided Foster with a letter stating they will not be taking more than 10' of the frontage. Abes' parking lot will have to be revamped and they want assurance they will be able to do what they need to. Blooming Grove cannot give that assurance because Milwaukee Street is a City of Madison street and it is their right-of-way. They will have to go to City of Madison Traffic Engineering Dept. for this permit. There was considerable discussion between Senator Chvala, DOT and City of Madison regarding the need for a driveway permit if it is part of the plan. DOT agreed to meet with Wendy Swallow to see if what she wants can be incorporated into their plan. If so it will be put in and no permits will be required.

Dennis Busch of Raymond Management (County Kitchen) expressed

several concerns of the effect on his business. You will not be able to access the restaurant when you are driving east on Milwaukee St. He is concerned that people will go up past McDonald's and make a U-turn, which would be much more hazardous than the present situation. DOT stated they have talked to all the property owners and reviewed all the concerns. This is the best plan they are able to present to best represent all of the needs and there will not be much more review of the design.

Ampe asked Mike Rewey of DOT to discuss the cost aspect of this project. DOT studies show there is a high volume of local traffic, approximately 25%. Therefore 25% of the cost is to be assessed back locally. That breakdown would be Post Office - 3.6%, City of Madison - 18.9% and Town of Blooming Grove - 1.9% or roughly \$216,000, which is calculated in 1992 dollars. Construction is not scheduled to begin until 1996 so the actual costs could be considerably higher.

Ampe asked DOT to enlighten us as to where the Town of Blooming Grove is supposed to come up with this amount of money. This is approximately 1/2 of our annual budget. DOT will meet with the municipalities to negotiate these costs and the final sharing of these costs. There is a possibility that the assessments could be deferred on some of these properties until such time as they are developed.

Sasso indicated that he was not happy with the way DOT has bypassed the town in the planning process. We finally had to ask DOT to meet with us after all of the meetings between DOT and the City and the planning had been completed.

Wendy Swallow asked for clarification of the statement about negotiating with the town. Does this mean the town has the option of saying no? Or can we negotiate a lesser amount? Response was to the effect that the project will go on as planned and the hope is that all affected parties will participate.

B. Moody asked about the percentage breakdown. With Woodman's on the Southwest corner and American Family at the end of Walbridge how was it determined that Madison only generates 9 times as much traffic as Blooming Grove. Our percentage is 1.9% and Madison's is 18.9%. That does not seem a proportionate percentage. It was based on their trip generation study.

Senator Chvala introduced himself and pointed out some things that the business people need to know. Legislation does not mandate that the affected property owners pay the bill. Some of this will be determined by the town. Do they wish to absorb any of this cost because it may benefit a large portion of the town? Will a particular property owner benefit a great deal because his value will increase due to the

improved road? These things were considered by the legislature when this law was passed. It sounds as those Blooming Grove businesses may be negatively impacted and that should be taken into consideration when we negotiate. A question was asked about the laws pertaining to business that is negatively affected. A year later, if it can be shown that the business took a nosedive after the road was "improved" is the owner later entitled to compensation? There are condemnations laws and other laws that could assist a property owner through the courts.

Wendy Swallow thanked the town board, Sen. Chvala, DOT and the City of Madison for agreeing to this meeting.

Ampe thanked everyone for coming.

Being no further business the meeting adjourned at 9:25 pm on motion by Sasso, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE SANITARY DISTRICT #8

Treasurer's Report

DECEMBER, 1992

CHECKING ACCOUNT

Previous Balance	\$ 19,312.62
Receipts	0
Interest	13.01
Disbursements	1,233.98
Maintenance Fee	0
Ending Balance	\$ 18,091.65

TOTAL FUNDS

Checking Balance	18,091.65
Certificate of Deposit Bal.	10,000.00
 TOTAL FUNDS	 \$ 28,091.65

BLOOMING GROVE TOWN BOARD JANUARY 11. 1993 7:02 PM

PRESENT: Ampe. Moody. Sasso. Brown. B. Moody. Redepenning.
J. Greendeer. D. Greendeer. T. Krajewski. B. Knutson. B.
Daly. T. Haen. J. Yogast. O. Ames. V. Redland & R. Snake.

Minutes of December 14th and 28th. 1992 were approved as read
on motion by Moody. second by Sasso.

Treasurer report for December was approved on motion by
Sasso. second by Moody and a copy is attached.

Bob Daley of Winnemax Corporation introduced several repre-
sentative of the Wisconsin Winnebagoes, including the Business
Committee and the Architect. He pointed out that any state-
ments made on behalf of the tribe in the past have no bearing
on what is happening today. They wish to work with the town
board and be a good member of the community.

Plans are to begin construction of a bingo parlor within the
next 6 - 9 weeks. It will meet or exceed all building code
requirements. They will employ approximately 150-250 full
and part time people. The building will be functional until
the litigation with the State of Wisconsin is settled, at
which time this building will be dismantled and moved to
another tribal location and a casino will be constructed.
They reviewed the County requirements for parking, sideyard
and height requirements. There will be 176 parking stalls.
The building will be approximately 25,000 sq. ft. of which
20,000 will be bingo hall.

Ampe asked if there is an Environmental Impact Statement. It
has been done by Braun Intertech of Minneapolis and was filed
with BIA last week. They will furnish a copy when it is
finalized and approved by BIA.

Ampe asked if the bingo hall seats 1,000 why will they only
have 176 parking stalls. Response was many people will come
by bus and therefore there is enough room. Sasso asked what
provisions have been made for overflow parking? They will
address that issue in the future if it becomes a problem.

Clerk asked if they are required to adhere to Dane County
Zoning requirements. They responded that this is trust land
and they are governed by their own rules, however, the con-
struction contract with the Winnebagoes provides they shall
meet or exceed any codes. They do not have to have State
approved plans, such as are required for other commercial
construction. Ampe asked if our building inspector would
inspect the building? Daly responded he has no authority to
come on the property unless invited and has no idea at this
time what the procedure will be.

Sasso indicated he would like a fire inspection program

established through a contract with the Winnebagos. He is also concerned about the impact on the area. Savannah Road leading to the property is only a dirt road and would need to be developed. He does not want the cost of this to fall on the Town of Blooming Grove taxpayers. Tribe responded they are willing to share in the development of the infrastructure. Any contract with the Town of Blooming Grove is not subject to BIA approval. Street development is generally assessed to property owners, however the tribal land has only a few feet of frontage. Ampe said the City of Madison owns a large portion of the frontage on Savannah but we cannot assess them.

Tribal reps asked who our engineering firm was and should we have them do a feasibility study regarding provision of services. Ampe said we use Joe Castanza of Mead and Hunt and agrees we need to do this. Greendeer indicated the tribe is willing to pay the cost of this.

There was discussion of the intersection with Highway 12 & 18 and Long Drive. The State is planning on moving that intersection in 1996. It will be moved 500-600' to the East.

Ampe suggested we have a couple more meetings for planning so the town knows how to proceed. She will try to set up a meeting with Attorney Mitby, the Town Board and the WWBC for the purpose of negotiating an agreement with the town. In the meantime they will provide Mitby a copy of the Environmental Impact Statement.

Sasso pointed out the water lines run to the corner of Savannah and Evan Acres Road.

Daly asked what the town position is in regard to a Class III facility. Ampe said that on advice of counsel we are not taking a position since we must work with any development and issue permits.

Tony Haen of Haen Real Estate was present to ask the board for approval of subdivision of the MG&E property on Sprecher Road. They wish to divide the 57 acre property into 3 parcels and rezone it. The property is owned by MAGEAL, which is a wholly owned subsidiary of MG&E. It is currently zoned A1-Exclusive. Their intention would be to rezone lot 1 to R-1. Lot 2 has the substation and a small maintenance building and would become A-2(8). Lot 3 would be 40 acres M/L and remain A1-Ex. MG&E would like to retain 110' easement for future overhead or underground power lines and is part of the CSM. City of Madison wants to retain Sprecher Road as a major arterial and requires and 120' from the center line for this purpose. Tom Akagi of City Planning has requested language from the town of Blooming Grove placed stating that no buildings could be placed on lot 3 until such time as all public services are available. Haen asked the

City to put that in writing as a condition of City approval. Ampe asked what is the intended use of lot 3? MG&E has been approached by a couple of developers who have an interest in the land but there are no contracts at this time. Another restriction Ampe wants on the land is that the property cannot be annexed out of the town for the life of the town. Haen responded that is a very strong restriction and he has never heard of anything like that. Ampe said the City does it all the time in reverse. They will not approve a CSM unless the property owner agrees to annex. Sasso pointed out that the City is not any more capable of providing sewer to that area than the town. MMSD is not a City service but is a metropolitan sewer and service must be provided to the town as well as the city and the cost is shared by the affected property owners. Haen asked if we could provide water? Sasso said the sewer is their basis for requiring annexation. Akagi told Ampe they will approve this subdivision but for anyone else they would not. Ampe is trying to obtain a copy of the City ordinance pertaining to this. Haen asked for a letter from the town stating what our restrictions would be. He doesn't feel we are being fair by putting the property owner in a disagreement between the Town and the City. Ampe said the City does this all the time and she feels we need to protect the interest of the town.

The request from Attorney Michael Christopher for a holding tank permit for lot 13 in April Hills was denied on motion by Ampe, second by Sasso. Attorney Christopher has requested a copy of the advice given us by Atty. Mitby. Ampe said we are not required to provide that information. They have said they will sue us if the permit is denied. Clerk to send a letter of denial.

FIRE DEPARTMENT - Chief Ames introduced Jeff Thompson as his selection for Assistant Fire Chief. Thompson provided a resume and a copy of the application he used when he applied for the position of Assistant Chief at Maple Bluff. Sasso asked the following questions: What is the expected salary? \$1,350.00 was budgeted. It would start lower and could be raised later. What is the probation period? 1 year. Will Ames be doing a written performance evaluation on Thompson at a future date? He plans to. Has he been given a copy of his job description? Yes. It was agreed the starting wage would be \$100.00 to be evaluated 7/1/93 for possible increase.

Treasurer asked how often he was to be paid? Former Ass't. Chief was paid quarterly. It was agreed to pay Thompson monthly.

Ampe welcomed Thompson and said she looked forward to a long relationship.

Chief Ames discussed the clothing allowance for the full time firemen. Was it to be used only for shirts? Ames said it

doesn't look good to have the firemen on duty wearing jeans and overalls so the budgeted money should go for pants also. Loomis found pants at Farm & Fleet he wants to buy. Clerk said when the clothing allowance was established it was for dress shirts for on-duty firemen. If it has been changed she is not aware of that. Sasso said we could change it to whatever clothes the chief approves and then we wouldn't have to deal with it anymore. Approval granted on motion by Sasso that the \$60.00 could be spent as the chief recommends and they would be required to wear the shirts to work. Second by Moody. Sasso told Ames to write up a dress code policy.

STREETS - We again discussed the stop sign in April Hills. Moody made motion to removed all stop signs on the top of the hill at Jenness and Bittner. There are 4 on the top of the hill. Ampe asked if yield signs would be appropriate. Second by Sasso. Carried.

We will discuss the specifications for the new truck at one of the next 2 meetings. Redepenning and Moody will be meeting before then.

We need to look at our 1993 street work soon. We also discussed the ability to assess other municipalities for special assessments. Ampe will check into the legalities.

CHAIR - Ampe wants to schedule a closed meeting with Attorney Nordeng and Attorney Mitby to evaluate the town position with regard to the annexation lawsuit and how we should proceed.

We received a request from Stanley Lien regarding funding for the Monona Terrace Convention Center. He asked us to adopt a resolution on Dane County Economic Funding which was done on motion by Sasso, second by Moody. Copy attached.

CLERK - The employees are eligible for additional life insurance on themselves and their families, but the town board must adopt a resolution to do this. This would be the Supplemental, which would double their coverage and the Family, which would cover their spouse and/or children. The entire cost would be paid by the employees who choose to participate. Resolution adopted on motion by Ampe, second by Sasso.

Motion to combine Wards 1, 2 & 3 for all 1993 elections was approved on motion by Moody, second by Sasso. Blooming Grove Fire Station will be the only polling place.

Request for a gun collectors show at Holiday Inn SE was approved on motion by Ampe. All references were Dane County Sheriff Dept. personnel.

MG&E provided us the cost of street lights for the San. #8 area for the time it was in the City. He contacted Madison

and told them how much they amount was. They indicated we should be responsible for the bill since we got the property back. Sasso asked if we also get the taxes for that time. It was agreed we should send them a bill for the street lights that we paid for.

City of Madison Assessor was in here to see the assessment records for the Voit property. Are they going to request the taxes for that parcel also? We'll have to wait and see.

Madison Metro Sewer District informed us that they created a new driveway at the sewer plant. They did not obtain a permit. Ampe said we should send them a bill.

DNR has approved the ground soil cleanup from the town property by the Fire Department. It requires no further action.

Recycling grant was approved in the amount of \$13,299. This is about \$3,000 more than last year.

We need to make reservations for the Dane County Towns Assoc. on the 28th. To be held at Edgerton.

Vouchers were approved on motion by Sasso, second by Moody.

Moody asked that a thank you letter be sent to DOT, City of Madison and American Family for attending the Zink Avenue Milwaukee Street meeting.

Being no further business the meeting adjourned on motion by Sasso, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

JANUARY 25. 1993

7:30 PM

PRESENT: Ampe, Moody, Sasso, B. Moody, Brown, Atty. Mitby, Ames, Redepenning, M. Braun, E. Kamm, G. Schwarze, A. Berg.

Minutes of January 8, 1993 were approved as read on motion by Moody, second by Sasso.

Gil Schwarze addressed the board about park rental for a car show this summer. He is concerned about the liability. Ampe asked if the group is charging admission. Is it open to the public? Are you selling anything. No, they do not charge admission, anyone who wants to stop and see the cars can and no, they do not sell anything. Ampe talked to our insurance agent and we are requesting that you furnish liability insurance in the amount of \$500,000 and make the town an additional insured. Redepenning asked how many cars there would be? Approximately 100. Who will be responsible for the lawn if it is rainy? It was agreed they would send a letter prior to the show assuming responsibility for the grass.

STREETS - We reviewed the specs that Redepenning had prepared for the new truck and wing. Mitby reviewed and suggested we may want to change the wording to any and all bids may be accepted or rejected within 30 days of opening bids. Several contractors have been talked to by Redepenning and his is anticipating 3 or 4 bids. He also recommends that we give them an option of bidding separately or as a whole package. Moody made motion to start the bidding process. Second by Sasso. Sasso then made a motion to permit them to bid the package separately if they wish. Second by Ampe.

Redepenning asked if he could turn in the hours for Taylor for typing up the bid. It is 14 pages long and took approximately 8 hours to type. After considerable discussion it was agreed to pay him on motion by Ampe, second by Moody. Sasso cast a no vote because he feels we are paying him twice for working for the town. In the future it was suggested that extra compensation be pre-arranged.

On motion by Moody, second by Sasso, we adopted a resolution to carry over \$21,500 from the 1992 Street Outlay account since we were unable to do Marsh Road and the Sprecher Road/Hwy BB intersection last year.

FIRE DEPARTMENT - Ames reported that Scott Strassburgs coat was cleaned and turned out fine. As soon as we get the bill Ames will submit it to the insurance company.

Ampe showed Atty. Mitby the letter that was returned from Dane County Parks about the dry hydrant. They refused to accept the agreement since we struck out the indemnifying clause. Mitby said he will talk to them about it.

CHAIR - American Family sent a letter stating they will not participate in the construction of Zink Avenue. They ends the discussion of development of that area because we cannot build one-half of a road. The property owners will have to wait to see what will happen in the future.

Ampe reported that in reviewing the minutes of the annual meeting she realized we were supposed to create a committee to study the financial position of the town in relation to building a new fire station and town hall. Ampe contacted Ed Halvarson and Dick Riddle to serve on this committee and recommends that we appoint them. Approved on motion by Sasso, second by Moody. They will present their report at the annual meeting.

On recommendation of Mitby, Ampe drafted a bill for Dane County Public Works for the sewer hook-up to the Rodefild Landfill. They have verbally agreed to this.

Ampe said there is going to be a meeting of the ambulance district. Apparently the EMT's have some concerns and Ampe feels there is poor communication between the board and the employees so she has suggested meetings to air these concerns.

Tony Haen of MAGEAL, Inc. sent letters to the same property owners the county notified to let them know of the proposed zoning change request of the Sprecher Road substation and property. Hovde either owns, or has options on, much of the land surrounding this. Mitby advised we could put a restriction on the zoning approval that for a period of 50 years they could not petition for annexation to the City of Madison.

CLERK - We received a letter today from the Wis. Towns Assoc. legal counsel in response to our questions about circulating nomination papers on government property. The Dane County Clerk had contacted us and told us we could not do this because it is an ethics violation. She also stopped the town of Burke 2 years ago from circulating papers at the town landfill. Legal Counsel contacted the State Ethics Board and could find no one who felt this was a violation. If it was an hourly employee doing this on payroll time it could be construed as a violation. Clerk also contacted the State Elections board twice but they did not return her call. When we get a response from the Elections board we will pass all the information on to the County Clerk and WTA.

Ampe talked to McFarland about their new ambulance. They will be assessing a portion of it to the town in the same proportion they bill us now. Clerk said it is based on the equalized value.

The person who has been cleaning the town hall has given

notice and will not be cleaning anymore. Clerk had asked Redepenning if Mike Guerten would do it. Redepenning talked to him and Guerten does not want to do it. After lengthy discussion it was agreed find out what cleaning services charge.

Mitby reported that Jim Heineke contacted him and the Winnemahs are ready to proceed with their bingo parlor. Clerk asked if we now have clarification as to who can legally negotiate on the tribes behalf. Mitby said we haven't a clue.

Being no further business the meeting adjourned at 8:30 p.m. on motion by Sasso, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD SPECIAL CLOSED MEETING JANUARY 25, 1993

PRESENT: Ampe, Moody, Sasso, Brown, B. Moody, Atty. Mitby & Atty. Nordeng

Convened in closed session at 6:30 p.m. at request of Town Chair Ampe under Chapter 19.85(1)(g) of Wis. State Statutes: Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved."

Meeting was properly noticed and roll call vote was taken to convene in closed session: Ampe - aye, Moody - aye, Sasso - aye.

Attorney Nordeng reported that Judge Krueger rendered a favorable decision on December 9, 1992 on the basis that the City of Madison did create a town island.

After some confusion about the ruling being a final order and clearing up that matter, the City of Madison has filed an appeal of that decision. The timetable for action is as follows:

- City has 40 days to file a brief with the Court of Appeals
- We then have 30 days to respond
- City then has 15 days to rebut
- Decision could be reached late 1993

He cited some reason court decisions that could have an impact on our case. He feels we have a very good position at this time. One of the cases he relied on was the City of Sheboygan vs. Town of Sheboygan. There are other cases, particularly one in Eau Claire that could require the courts to look at the intent of the law, which could/may create a different outlook on our case.

City Attorney Voss has put out a feeler to Atty. Nordeng regarding any potential settlement of this case. The City wants control of this area very badly. Some options we could consider are financial remuneration or protection of other town boudaries in the future.

The City of Madison may file another annexation petition if they lose this one but they would have to create other boudaries.

Atty. Mitby suggested the town might want to try to acquire a strip of land which would restrict their ability to annex.

Ampe asked if we entered into a boundary agreement would it be binding? Nordeng said there is a State Statute that recognizes boundary agreements that are negotiated to resolve an annexation issue.

We discussed some of the pros and cons regarding keeping the property in Blooming Grove and the potential costs to the town to do that. Nordeng indicated the decision to negotiate or keep the land is really a policy decision, not a legal one.

Mitby indicated that even if we win the lawsuit it may be in our best interest to open some negotiations with the city.

Nordeng indicated the Town Board needs to decide how to proceed and let him know.

Being no further business the meeting adjourned at 7:10 p.m. on motion by Sasso, second by Ampe.

Respectfully submitted,

Barbara K. Moody
Clerk

PRESENT: Ampe, Moody, Sasso, Brown, B. Moody, Redepinning, P. Patten, P. Ramczyk, L. Ramczyk, J. & B. Hockett, L. Waddell, R. & J. Luick, M. Braun, S. Peck, E. Kamm, A. Berg.

Minutes of the January 6th Special Meeting on Milwaukee Street & the January 25th regular meeting were approved on motion by Moody, second by Sasso.

Treasurer's report for January was approved on motion by Moody, second by Sasso and a copy is attached.

STREETS - Pat Ramczyk addressed the board regarding the stop signs in April Hills that were removed from the intersections of Jenness/Bittner/Swinburne. She reminded the board that last fall she presented a petition requesting the signs and the board agreed. Now they have been removed at the request of one person. She would like them replaced for the same reasons she wanted them in the 1st place. After considerable discussion by several of the April Hills residents, Redepinning and the board it was agreed to put stop signs on all 4 corners at both intersections on motion by Sasso, second by Ampe. Ampe said we will review this in 6 months. Pete Patten was the only resident present to oppose the signs.

Ramczyk asked if letters could be sent to the residents when there would discussion on the agenda that could impact their neighborhood. They were reminded that the agenda is posted in the park prior to every meeting. They can also subscribe to the agenda for \$15.00/year.

There were questions about repairing Siggleskow Road. Ampe pointed out the portion that needs repair is in the City of Madison. McFarland has plans to repair their portion. Clerk said Sherry Eddington had called to say she talked to the City and they plan to repair their portion when that corner is developed, probably within the next 5 years.

Barb Hockett built a new home on Beegs and Brugger. They would like to have a street light installed on the corner. Ampe said we would contact WP&L and look into it.

Joe Castanza of Mead & Hunt discussed the proposed development of the Evan Acres area and presented a feasibility report that Ampe had requested. To do this report he used the cost of all the needed improvements, the 1989 water system report, the Dane County 1992 report on the casino impact and had several discussions with the Winnebago Architect. He took the total costs and divided them with the anticipated usage of the streets and water. Since the plans are so indefinite he said he is not real comfortable with his projections. He reviewed the details with us and feels we must proceed with a new well fairly soon. Larry Nelson, City

Engineer and Gary Graham of the water utility has contacted him to request that this well meet Madison standards so if & when it is annexed it meets their requirements. He has been looking across Femrite Drive for a location, which would mean about 5,000 feet of pipe to connect to our present system and another 4,000 feet to go down Savannah Road. We have adequate sewer system to accommodate a bingo parlor. We may have to look at it later if a casino develops.

His estimated costs for the road only include paving Savannah, not the additional end of Evan Acres. Ampe pointed out that Long Drive will be moved in 1995 or 1996. It is in the DOT long range projection.

The projected total cost is over one million dollars with the developer share being not quite \$400,000. This does not include land acquisition cost for the well. Castanza is not real comfortable with these numbers because so much of it is "guesswork" without much input from the board. He asked for more input, particularly with his methodology.

Sasso said Savannah Road should not be totally assessed to the Winnebagos since the other property owners would benefit a great deal from development. He suggested we also would have to finish Evan Acres Road. We discussed 10' and 8' mains and where they would go.

Ampe stressed that we do not want to underbuild and have to go back in a few years and re-do the work. The roads have to be adequate. Castanza asked if we might want to consider sidewalks. We would need more right-of-way.

Moody pointed out that we have to anticipate other development than the casino, probably motels and restaurants.

Clerk asked if a new tower would have to go higher than the existing tower. We are in the flight path of the airport. He was not aware of this and will look into it.

Moody asked if the Meier Road site was feasible, since the City has indicated in the past they would not permit us to cross their right-of-way. Castanza said we must have an agreement in writing prior to acquiring any land.

The Winnebagos had requested a copy of this study by tomorrow but everyone agreed that it was not ready to be distributed. There are many things to be factored in yet. Castanza will spend more time fine tuning it and come to our 2/22 meeting.

Castanza asked if we have a subdivision ordinance. Usually the developer bears the cost. Clerk asked if that would pertain at this time since they are not subdividing. We will research this. It was agreed we should not spend any more money without a participation agreement with the developer.

Ampe reported that she had met with Dennis Dancker of McFarland. They have changed the Greenway to a narrow strip, however they are now proposing a collector road thru the middle of Kamm's land. That is just east of Holscher Road. Ampe and Dancker are discussing acquiring more right of way and widening Holscher, rather than a new road. McFarland is also trying to get Dane County Public Works to upgrade Holscher Road, as per their Conditional Use Permit agreement.

McFarland is planning to improve Siggleskow Road from Hwy. 51 to the pump house and will close it. That means Wingra Stone will have to go east on Siggleskow since Madison has said they can't use Voges Road.

CLERK - We have the bill for the cleaning of the fireman's gear and Orville will be sending it to the insurance company.

We have received liquor license applications from Holiday Inn SE and Wagner's Mobil plus Operator license applications from Michael Sullivan, Ken Case, Steve Ganser, Danny Harrison, David Hyatt, Jr. and Linda Hansen. These have been posted and will be acted on at the Feb. 22nd meeting.

Dwight Clough indicated that his fee for cleaning the town hall would be \$25.00. They are bonded and insured and provide their own equipment. Ed Kamm has indicated that his daughter would be willing to do it for \$15.00/hour.

Barnes Mowing has submitted their proposal for a two year contract for mowing the cemetery. They are not increasing the price. It was agreed to renew their contract on motion by Moody, second by Sasso.

Chuck Quinn is putting up the warehouses on Fair Oaks Avenue. Our fee for commercial building permits is 10 cents/sq. ft. with a \$500.00 minimum. This includes building, plumbing, electrical and HVAC. Quinn has requested a reduction in the fees since he won't be installing plumbing or HVAC. Roy Watson used 4 cents for building, and 2 cents each for the others if we wanted to calculate it separately. It was agreed to charge 6 cents for building and electrical on motion by Sasso, second by Moody.

Mr. Voit received a copy of the proposed development of the corporate office center by Regas Road. They show the new road intersecting with Regas Road and he wondered if we had been contacted. Are they closing Regas Road? Where will our business get access? How can the City abandon our road. Ampe will clarification on this.

Ray Keller, from the corner of Sprecher and Buckeye Road is siding his house. He needs a variance from Dane County Zoning because his house sits too close to the road. Do we want him to attend a meeting? The board to approve his request.

Dane County emergency Management is holding a meeting at State Patrol Headquarters to discuss training for hazardous materials. Clerk to provide information to fire chief with recommendation that someone attend.

Clerk has drawn names for ballot placement for the supervisor seat for the April 6th election. They are, in order. Steve Sasso, Michael Braun and Arnold Berg. Clerk explained to the candidates that the names are randomly drawn and placed on the ballot in the order drawn.

CHAIR - Tony Haen, representing MAGAEL, sent a letter asking that we delay any action on his rezoning request for the MG&E property on Sprecher Road until further notice.

We received a copy of McFarland's Master Plan for review.

Oregon School District is has scheduled meetings to discuss school needs and anticipated growth and has invited us to participate, if we wish. Since we only have a few houses in the district it was agreed we would not send a representative. Ampe will respond and request they send minutes.

Wisconsin Urban Towns meeting is in Fond du lac on February 20th. Ampe will attend.

Ampe received communication from Rudy Silbaugh. After he held his town meeting here he released a statement to the press reiterating his opposition to the proposed casino in the town of Blooming Grove. He sent us a copy.

Mitby sent a letter to Ken LePine of Dane County parks regarding the dry hydrant. We have not received a response.

Town of Pleasant Springs is hosting a surrounding towns meeting on February 18th. Ampe will attend.

MMSD sent a letter indicating the areas in the town that receive Metro-gro applications.

Being no further business the meeting adjourned at 9:05 p.m. on motion by Sasso, second by moody.

Respectfully submitted,

Barbara K. Moody
Clerk

TOWN OF BLOOMING GROVE

Treasurer's Report

JANUARY, 1993

CHECKING ACCOUNT

Previous Balance	\$ 8,086.88
Receipts	1,313,219.21
(Includes: Taxes 721,678; State Recycling Grant 6,649; State Highway Aids 7,780; C.D.'s 525,000; Interest on C.D.'s 599; from savings 50,000)	
Interest	512.56
Disbursements	1,318,768.48
(Includes: C.D.'s 625,000; School Tax Levies 499,222; VTAE Tax Levy 9,343; & State & County Tax Levy 120,972)	
Maintenance Fee	59.86
NSF Check	40.17
Ending Balance	\$ 2,950.14

INVESTED FUNDS

General Town -

Prime Investment	\$ 5,497.32
State Pool	358,296.45
State Trust Fund	26,399.65
Certificate of Deposit	475,000.00
Sub-total	\$ 865,193.42
State Pool - Vehicles	34,660.28
State Pool - Cemetery	15,700.81
State Pool - Land Sale	247,690.85
TOTAL TOWN FUNDS	\$1,163,245.36

BLOOMING GROVE SPECIAL CLOSED TOWN BOARD MEETING

FEBRUARY 22, 1993

PRESENT: Ampe, Moody, Sasso, Brown, B. Moody.

Meeting adjourned to Closed session from regular town board meeting, at 8:20 p.m. under Wis. State Statute Chapter 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved".

Meeting was duly noticed. Roll call vote indicated Ampe - aye, Moody - aye, Sasso - aye.

Ampe wanted to discuss the options provided by Atty. Nordeng and Atty. Mitby regarding the annexations by Madison.

There is considerable concern about the cost of development of that area and the potential problems with the Casino, if it is built. Ampe and Sasso both indicated we should look into financial benefits of a negotiated settlement, but Ampe feels they wouldn't consider a boundary agreement. Ampe thought perhaps they would provide us revenue for 5 or 6 years.

Moody asked if we knew what we wanted to ask for or would we just sit down with the City to negotiate? Shouldn't we know what we want and what are we willing to give up? Are we talking about the area they are trying to annex or including the entire Sanitary District?

City has better capabilities of providing water. They could just connect to their own lines and wouldn't have to drill another well.

Sasso suggested we set up a meeting with Mitby and Nordeng to discuss what we would ask for and how to proceed. They should happen as quickly as we can make it happen because we are just continuing to spend money.

Ampe will contact both attorneys to set up a meeting.

Moody wondered if this should be delayed until a board member replacement is elected so they can be part of the decision making process. Ampe and Sasso felt Moody had better knowledge of what is happening than a new member would so we should try to proceed fairly quickly.

Sasso made motion to adjourn to open session at 8:34 p.m., second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD FEBRUARY 22, 1993 7:35 PM

PRESENT: Ampe, Moody, Sasso, Brown, B. Moody, E. Kamm, J. Castanza, M. Braun, A. Berg

Minutes of February 8, 1992 were approved as read on motion by Moody, second by Sasso.

STREETS - Ampe provided a computer print out of all street work that has been done the last few years. She now has this on her computer at home. It has been updated. She feels we should gravel seal April Hills this year. Also, she called the town of Dunn about doing their half of Meadowview. Last time it was done we did our half one year and they did their half the next. They will talk about it and get back to her. Marsh Road needs to be repaired. The contractors are going to do something but they don't know what. When the state has their meeting they will let Ampe know and she will attend.

Ampe has talked to John Lichtenheld of Mead and Hunt about Rustic Road. If we want to do the road this year we can use all the same documents. The cost will be increased approximately 6% per year, to estimated \$75,000. Sasso made motion to surface Rustic Road this year, second by Moody. Can we have the public hearing at our next meeting? We will check.

Redepinning requested permission to put the weight limit signs up when the surrounding municipalities do. Granted, but he is to notify Ampe when he is doing it.

ORDINANCES - We reviewed the proposed holding tank ordinance. We want to permit holding tanks for new construction but not word it as to prevent existing homes with a problem from installing a holding tank. Ampe will clarify it with Mitby.

Ampe talked to Mitby about enforcing our ordinances. Mitby says we have to list the ordinances we want them to enforce and then go meet with them. We probably want to enforce parking, building codes, abandoned vehicles, property maintenance. Ampe will let Mitby know this.

CHAIR - Ampe reported that she and Ed Kamm went to the meeting in McFarland regarding their plan for village greenway and roads thru Blooming Grove. McFarland, Dunn and Blooming Grove all indicated that Bill Preboski of RPC should confine his planning to the McFarland Village limits until such time as the surrounding communities need to be involved.

Ed Kamm wished to have it noted in the minutes that Ampe spoke effectively and convincingly to the village trustees regarding their need to leave Blooming Grove until they need it. He wished to personally thank her.

Cottage Grove, Madison and Blooming Grove have all adopted

resolutions allowing Cottage Grove to have a member on the Siting Committee for the Rodefild Landfill expansion. It was agreed by the board for Ampe and the clerk to sign it once it received approval from Atty. Mitby.

It was agreed to hire Kari Kamm to clean the town hall at the rate of \$15.00 per week on motion by Sasso, second by Moody. She is to provide a work permit from the school. Our vacuum cleaner needs repair. Moody will take it to see if it can be fixed. Purchase (if necessary) approved on motion by Sasso, second by Moody.

Ampe received a copy of the Richmond Hill Subdivision plat. She talked to Larry Birkelow of Yahara materials. He will be putting up a sign indicating there is a working quarry at this location for prospective buyers to see.

Ampe and the Voits attended a meeting with City Planning. Their plans for their Corporate Center coming off of Regas Road would be taking Voit property. The will look into an alternative way of doing the road and will meet with Ampe and Mr. Voit again next week.

Ampe attended the Wis. Urban Towns Committee meeting. She picked up a lot of material regarding annexations for us to review. She also picked up information on the American Disabilities Act and we will have to get started on that.

Moody reported that Earl Pottinger contacted him to discuss his proposed overnight camping facility on Femrite Drive. He plans to have a frontage road from down by Motel 6. We need to see drawings and plans. Apparently he is working with Bill Graham in conjunction with the World Dairy Expo.

CLERK - Class B beer & liquor licenses were approved for John Q Hammons, dba Holiday Inn SE (New Madison Lounge) and Class A beer for Leon Wagner dba Wagner's Mobil. Operators license to Steve Ganser, Michael Sullivan, Ken Case, Danny Harrison and David Hyatt from Wagner's and Linda Hansen from Jerry's Place. All approved on motion by Sasso, second by Moody. It was agreed to prorate them for 1/2 of the year. Atty. Nordeng recommended that we do this and send the City of Madison a letter telling them we have done this and hope they will extend the same courtesy. Clerk to send a letter to Holiday Inn SE reminding them their operators need to apply for a license.

For the Rustic Road special assessments we must adopt our resolution at the next meeting and then send out notice of a public hearing. Prior to noticing a public hearing we must have all documentation on file to the property owners to see.

We adjourned to Closed Session at 8:20 p.m. on motion by Ampe, second by Moody under Chapter 19.85(1)(g) of Wis. State

Statutes: "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved."

At 8:34 we reconvened for purposes of adjournment which occurred on motion by Sasso, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

MARCH 8, 1993

7:00 PM

PRESENT: Ampe. Moody. Brown. B. Moody. M. Braun. Ed Kamm.

Minutes of February 22, 1993 were approved as read on motion by Moody. second by Ampe.

Tim Dimeneau of McFarland Youth Soccer was present to request the use of April Hill Park for league play. It would be the U10 group (under age 10). Their season is from the Tuesday after Easter thru June 4th and again in the fall. We discussed problems we had encountered in the past, ie: lack of parking facilities, lack of restrooms, residents not being able to get in and out of their driveway or use the park & children running out between cars. These were the reasons for adopting an ordinance prohibiting the use of our neighborhood parks for any organized activity. Dimeneau asked several times for restrictions that we would allow use under. It was finally agreed he should contact every neighbor abutting the park. If he can get a written statement from all of them that they have no objections the board will consider it again at the March 22, 1993 board meeting. He must notify us before noon. March 18th to be on agenda.

STREETS - It was agreed that we cannot postpone the work on Rustic Road anymore. It needs to be blacktopped. It is currently the only town road that is gravel. Ampe read the PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS UNDER SEC.66.60. WIS. STATUTES (copy attached) and it was adopted on motion by Moody, second by Ampe with a unanimous roll call vote. As soon as we have the special assessment roll from Jon Lichtenheld of Mead and Hunt the clerk will publish the notice and a letter will be sent to the residents notifying them of the public hearing. The hearing cannot be held earlier than 10 days after publication of the notice. Redepenning asked Ampe to contact Dane County Highway so they schedule that work. The public hearing will be held on April 26th at the regular town board meeting.

Commercial Avenue repair has been made. It was sinking due to repair after a water main break 9 years ago. Sasso told Ampe the water district is only responsible for 3 years. Redepenning said that is only if it was repaired properly and the county said there were no rods put in it when it was repaired. Dane County will bill us and we will try to negotiate with the Sanitary District. Redepenning said the State put in the highway and maybe they should pay this cost. The state says it is the water departments responsibility.

ORDINANCE - Ampe talked to Atty. Mitby about our concerns with the Holding Tank Ordinance. He recommends it not be revised. The way it reads there will be no holding tanks allowed without a holding tank permit. The conditions under which we would allow one are very limited in the ordinance.

Adopted as read on motion by Ampe, second by Moody.

CHAIR - We discussed the allocation of costs to the Winnemago for the development of the proposed casino area. They will be the prime developer of the area and Atty. Mitby feels they should bear the major portion of the cost. Since this study was done at the request of Winnemago, Mitby feels we should receive some compensation, as per their agreement, prior to turning the report over to them. Ampe drafted a letter to Heinke, at Mitby's suggestion, subject to board approval. Moody approved and she will send it.

Clerk asked where the money is coming from to pay for these items. It was not budgeted. If it is coming from surplus funds the board must take action and it must be posted as a budget amendment. Ampe feels some of it should come from the Sanitary District.

Clerk also asked where we are getting the money to construct Rustic Road and to purchase the truck? Are we planning to borrow? There is only \$33,000 in the designated funds for a public works truck. The remainder will have to be borrowed. Clerk will contact the State Trust Fund to see if there is money available.

We reviewed the minutes of the 1992 annual meeting. They appear to be fine but we will review again.

Discussion of building permits fees indicates that all the inspections are being covered by the fees collected. People are charged extra for extra inspections (when they call and then aren't ready) and get a refund upon request if they aren't all used. Clerk suggested the board might want to break down the commercial fees to 4 cents per square foot for building, 2 cents each for plumbing, electrical and heating. The \$500 minimum would remain the same. Approved on motion by Moody, second by Ampe.

Redepanning asked if we could put a moratorium on issuing building permits during the period when there are weight limits on the roads. There was reluctance to do this as all building projects wouldn't be affected by the weight limits. Our ordinance says weight limits are 3 ton per axle with a 10 ton maximum and carries a minimum \$200 penalty. Clerk will ask Mitby if we can issue a notice when we issue building permits that they cannot exceed the weight limits without express permission of the town board.

We reviewed Dane County Ordinance #10 Amendment. It appears the intent is to keep a large separation between farm buildings and subdivisions. It states a house can't be located nearer than 100' of a farm building unless it is to be a farm house. Motion to approve on motion by Ampe, second by Moody.

We received an anonymous letter re: the unsightliness of Rethke Avenue. The street is a mess and is Madison's. The yards and houses look pretty bad also. Ampe will take a look. Dane County Zoning had the abandoned vehicles removed.

Wis. Towns Association has put together an insurance package consideration. It would provide \$20,000 life and accidental death and dismemberment at a cost of \$338.00/person/year. and be available to board members also. It would require the enrollment of all employees and board members. Compared to our state plan it appears quite expensive.

Ampe said Mitby has talked to Dane County Parks about the dry hydrant in Lake Farm Park. They will not change the language in their agreement for installation and he certainly would not recommend that we consider indemnifying the county. Oregon F.D. has said if we won't sign the agreement they will not install it. No further action was taken.

We received a letter from the Laub Group. They no longer have the endorsement of WTA but want to assure us they are still interested in providing coverage to Blooming Grove.

CLERK - We have received operator license applications from Dana Johnson and Jeralyn Manthe for Jerry's Place. Action will be taken at our March 22nd meeting. We still have not received any applications from the Holiday Inn SE.

Clerk asked what we should be doing about the bill for the City of Madison for 1992 taxes collected for the annexed area. Ampe indicated we should be deducting the street lights for that area. We also need to see what McFarland is going to be billing us for ambulance service during that time period. It was agreed clerk would contact Tom Wilson at Nordeng's office and Ampe will call McFarland.

Treasurer's report for February was approved on motion by Moody, second by Ampe. Copy is attached.

Voucher's were approved on motion by Moody, second by Ampe.

Ed Kamm inquired about the impact of Governor Thompson's proposed tax freeze. Ampe feels it wouldn't have a big impact since we increased our mill rate this year. We don't know if it would affect Sanitary District #8 and borrowing.

Being no further business the meeting adjourned at 8:22 p.m. on motion by Moody, second by Ampe.

Respectfully submitted,

Barbara K. Moody
Clerk

TOWN OF BLOOMING GROVE

Treasurer's Report

FEBRUARY, 1993

CHECKING ACCOUNT

Previous Balance	\$ 2,950.14
Receipts	976,543.21
(Includes: Taxes 156,717; Personal Property taxes 52,196; Motel room tax 8,425; Cable Franchise 5,918; C.D. 625,000; Int. on C.D. 1,064 & from savings 125,000)	
Interest	287.97
Disbursements	954,133.44
(Includes: C.D. 150,000; State & County tax levy 141,384; School Tax levy 583,454; & VTAE tax levy 43,335	
Maintenance Fee	39.96
Ending Balance	\$ 25,607.92

INVESTED FUNDS

General Town -

Prime Investment	\$ 5,506.72
State Pool	458,785.29
State Trust Fund	26,765.13
Certificate of Deposit	-0-
Sub-total	\$491,057.14
State Pool - Vehicles	34,774.28
State Pool - Cemetery	15,752.45
State Pool - Land Sale	248,505.55
TOTAL TOWN FUNDS	\$790,089.42

BLOOMING GROVE TOWN BOARD

MARCH 22, 1993

7:15 P.M.

PRESENT: Ampe, Moody, Brown, B. Moody, Redepinning, T. Humphrey, J. Thompson, E. Kamm. Several representatives of the firms submitting bids on the public works truck.

Minutes of January 25, 1993 (closed), February 22, 1993 (closed) and March 8, 1993 Regular Town Board meetings were approved as read on motion by Moody, second by Ampe.

ORDINANCE - Ampe reported that we are all set up with Maple Bluff to participate in their court. They will charge a \$25.00 processing fee plus a \$15.00 court fee to the person who receives the ticket. If they request a jury trial it will be turned over to Atty. Mitby to represent the town. Clerk asked what the procedure is when a ticket is written? Who receives a copy of the ticket? Who collects the fine? Is the town hall involved at all? If a ticket is written who knows about it? Ampe thinks a copy is provided to the town clerk and then it would be our responsibility to forward it to Maple Bluff. Ampe will talk to them to find out how it all works. Redepinning asked if the person issuing the ticket is required to appear in court if it is contested? How will that person be compensated? What portion of the fines may the town keep? When the person issues the ticket what to they list for a fine, since most of our ordinances indicate a range for fines? There appear to be a lot of questions that need to be answered before we grant any authority to anyone. We deferred granting authority to anyone until we get some answers to these questions. Humphrey also asked the board to consider granting authority to someone to enforce the burning ordinance.

FIRE DEPARTMENT - Ass't Chief Jeff Thompson and Tom Humphrey discussed the requirement of the town to provide Hepatitis B shots to fire personnel. Dane County Firefighters Assoc. and Dane County Health are participating in a joint project to provide this protection to firefighters at minimum cost. The series can now be obtained through this program at a cost of approximately \$100/person and they have the capability of 30 people in the department. They currently have 28 on the roster. Four or five of the department will receive the shots thru the EMS District and a couple will get them from Monona since they ride with their ambulance. There is also a one time \$50.00 cost for the Health Dept. to come in and administer the shots and explain the protection procedure. Moody asked if any of the shots were going to be provided by Maple Bluff EMS. We had been told they would try to do 3 or 4 a year to First Responders. Humphrey felt this wasn't feasible but Ampe said she will check it out.

Moody indicated that we will probably have to do a budget amendment to pay for these shots. Redepinning asked if they knew at budget time these shots would be needed? Response

was they didn't know the date it would be required. Clerk asked if there would be any liability to the town if a recipient had an allergic reaction to the shots? Humphrey said they are required to sign a waiver which absolves the person that administers the shot of any liability.

Clerk stated that at the last seminar she attended there was a representative from DILHR addressing this issue. He said that by July 1, 1993 we are to have a written Exposure Control Plan for protection of all employees. Humphrey said the fire department is already working on it. Clerk asked if it is for all employees or just firefighters? They only included the fire department. DILHR indicated it should include everyone.

Humphrey said records must be kept of all this and the fire department wants the records kept off premise, so they would like the clerk to keep the records. Clerk asked if they are asking for record storage room? Humphrey said there is not much paperwork. But it needs to be kept locked up. Clerk pointed out that we do not have any locked storage cabinets or rooms at the town hall.

Authorization to participate in the County program was granted on motion by Moody, second by Ampe. Moody also said the finances should be worked out at the next meeting and the fire department budget should share in some of the cost.

Redepenning asked if this included him? Clerk was under the impression from DILHR that the first step is to develop the plan which requires us to list all tasks of all employees and determine who is at risk.

Ampe said Sasso had indicated there would be upcoming major repairs needed and it should be discussed tonight. Thompson said he wasn't aware of anything unless it was funds to paint the bedroom. Ampe thought he meant vehicle repair. Discussion tabled.

STREET DEPARTMENT - We discussed the driveway repair that is required because of snowplow damage. Redepenning said he already talked to the property owner and he will replace the blacktop when the weather permits.

He also wants to look at repairing the bad spots in Gallagher Plat this year when we decide on our street work for the year. If we need to we can defer the sealcoating for a year.

We will set a date to meet with the county for street review.

Vouchers were approved as presented on motion by Ampe, second by Moody.

Sewer rates for Gallagher Garden for 1993 were calculated and recommended by Madison Metro Sewer District to cover our costs. They were approved as follows on motion by Moody, second by Ampe.

Residential to	-	\$ 25.30
Dentist Office	-	34.85
Country Kitchen	-	500.20
McDonald's	-	341.80

Operators license for Dana Johnson and Geralyn Manthe of Jerry's Place were approved on motion by Ampe, second by Moody.

We received a request for a Certified Survey Map approval for a parcel in Sanitary District #8. Ampe contacted Bill Fleck and apparently when it was originally subdivided they did not get a CSM so they are just doing it properly now. The boundaries are not changing.

Dane County Compost sites have announced they are opening on April 1, 1993. Hours will be posted.

Clerk received the license applications from East Side Businessmen's Association for a Class B Beer and 3 temporary Operator License in addition to their Carnival, Restaurant and Cigarette license. Action will be taken at the April 12th meeting.

We received a notice from Dane County Public Health indicating the property at 4317 Sprecher Road has a temporary holding tank. They have not applied for a permit for this, therefore they may not use the installed system. We will have the building inspector look into it.

There is a clerks meeting in New Glarus on April 15th. Approval for clerk to attend on motion by Ampe, second by Moody.

Waste Facility Siting Board has approved the appointment of Kyle Mathews of Cottage Grove to the Rodefild Landfill Committee. He has filed all required financial papers.

A businessman from Femrite Drive was in to inquire about a rumor that the City was going to create a cul-de-sac on his property, part of which is in the City. Do we know anything about this? We are not aware of any plans at this time.

8:00-TRUCK BIDS-The following bids for a new public works truck were opened by Ampe. After the bids are opened they will be reviewed by Redepinning and Moody and a recommendation will be brought to the board and action taken at the

April 12th meeting. Bids are:

Madison Truck & Equipment

Chassis - No Bid
Equipment - \$21,896

Truck Country - (Freightliner)

Chassis - \$56,658
Equipment - No Bid

Capitol City

Chassis - \$41,180
Equipment -
Total package 67,225 with tailgate spreader

Kayser Ford

Chassis - \$41,399
Equipment - No bid

Burke Truck & Equipment

Chassis - No bid
Equipment - \$31,200

Monroe Truck & Equipment

Dump Body \$ 9,430
Wing 4,623
Plow 5,841
Tailgate Spreader 2,568

CHAIR - Dane County Supervisors and Dane County Towns Assoc. will be conducting a workshop on April 17th at the new Pine Bluff Community Center to discuss land use and transportation issues. Open to all elected officials. Time-11:00 a.m. to 3:00. RSVP required.

Mead and Hunt finalized their impact study for the casino with the recommendation that a large portion of this money be allocated to the tribe. If there is future development it could be credited back to the Winnebagos at that time.

Ampe received notice of an abandoned well at 3119 Gaston Road. We will have to verify if that is in Blooming Grove.

We will review the audit at the next meeting.

Treasurer reported the new office chairs are ordered and should be here the end of April.

Clerk checked with State Elections Board. Since we have a town board meeting between the election and the annual meeting we will swear in newly elected officials at the end of the regular town board meeting on April 12th.

Being no further business the meeting adjourned at 8:20 pm on motion by Ampe, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

APRIL 12, 1993

7:00 PM

PRESENT: Ampe. Moody. Sasso. Brown. B. Moody. L. Burcalow.
W. Cattell. R. Redepenning. M. Braun. A. Berg. E. Kamm

Minutes of March 22, 1993 were approved as read on motion by
Moody. second by Ampe.

Treasurer's report for March was approved as presented on
motion by Sasso. second by Moody and a copy is attached.

Larry Burcalow of Yahara Materials and Wade Cattell are requesting a CUP for a portable redi-mix plant on the Yahara Materials site. It takes approximately 1 day to take down and set up at each location. Their projection is this will cut costs and eliminate a lot of heavy traffic on roads if the cement for construction projects can be done at/near the construction site. This plant would service projects on the east side. It would mean hauling in sand and taking out concrete, but for much shorter distances. It is a new concept. Their request would be to operate on a continuing basis. There is water on site so they would not have to drill a well. Sasso suggested they should have to apply for a CUP on an annual basis so it can be evaluated. Burcalow said this would hamper the spring bidding process if they wouldn't know from year to year. Ampe suggested we grant the permit with a condition that it be reviewed annually in January and asked if this would be acceptable. It was agreed it would. Sasso made motion to approve with that condition. Ampe asked clerk to send a letter to County Zoning.

STREETS - Redepenning and Moody reported on the truck bids from the March 22 meeting. They reviewed the bids and specs.

CHASSIS - After review of the specs it was recommended we accept the bid from Kayser Ford of \$41,399 less \$316 for the tires we requested for a total bid of \$41,083. Delivery expected in 90 - 105 days. It also includes a 2 year warranty on the transmission. The 1st year is a factory warranty and the 2nd year is Kayser's. It was agreed to accept the Kayser bid on motion by Sasso. second by Ampe. The 2nd lowest bid was Capital City for \$41,180 with a one year warranty.

EQUIPMENT - Bids were received from Monroe Truck & Equipment. Madison Truck & Equipment and Burke Truck & Equipment. Low bidder was Madison T & E at \$21,896. They offer a heavier duty lighting system of \$180 and a special cable control to eliminate 2 of the controls. Cost is \$366. Adding these 2 options they are still the low bidder. Motion to accept this bid on motion by Moody. second by Sasso.

This puts the total cost of the truck and equipment at \$63,525. We discussed how to pay for the truck. We have approximately \$33,000 in designated funds and will have to

borrow the balance. Money is available at this time for 5.5 - 6% up to 10 years. We also need to borrow to pay for the Rustic Road Special Assessment Project. Moody made motion to apply for a loan for \$30,000 with a 5 year amortization. Second by Sasso.

1993 Street Work - Redepenning will try to reschedule the appointment with the engineer from Dane County Highway, since it conflicts with the training session for newly elected officers.

He also discussed the need to resurface Gallagher Plat as a high priority. April Hills needs to be sealcoated with 3 or 4 spots needing overlay. We have the money set aside from 1992 for Marsh Road. Ampe will find out what the state is doing on that. Lee South Court residents inquired about blacktopping their street. It was suggested they provide the town board a petition stating they are interested in having the road done. We also don't know the status of Sprecher Road and Highway 88. Is the County planning on working on it this year? Redepenning asked Ampe to contact Dane County Public Works about repairing Holscher Road.

Weight limit signs were removed today.

Homberg Contractors will be asked to grade Underdahl and Meier Road as soon as it is dry enough.

PARKS - A Rambling Acres resident requested "Children at Play" signs in their subdivision. Redepenning suggested they be placed at the 3 entrances to Rambling Acres. Approved on motion by Sasso. second by Moody.

The "Just Say No" Club at Sennett Middle School is going to clean up Rambling Acres Parks as part of their Earth Day Project. It was suggested the town buy some pop for them to drink in appreciation for their work. Approved and Redepenning will see that it gets to the park.

We have the bid from Gausmann to do a basketball pad in the parks. It is \$2,800 and was budgeted to be done in April Hills Park. Contract was signed and Redepenning will schedule the work.

CHAIR - When citations are issued two copies go to Maple Bluff Court. If the case goes to trial Maple Bluff will send one copy to Mitby. We discussed how to compensate the employees that issue the citations and have to go to court. Ampe will research it further. When the ticket is issued you write the maximum fine plus the \$15.00 costs plus the \$25.00 processing fee on the ticket.

We reviewed the audit report and the internal control comments. Recommendations from the auditor were:

1. Dissolve the cemetery perpetual care fund. The town is responsible for maintenance anyway so there is no need for a perpetual care fund. If the town is annexed in its entirety the City would also assume the responsibility to maintain it.

2. Make sure balancing of asset and balance accounts is done monthly.

3. Take action regarding delinquent personal property taxes. We need to make an effort to collect them or to write them off if we determine they are uncollectible. Treasurer to provide board a list of delinquent.

4. Consider including Sanitary District #8 in the financial report of the town as a separate fund.

5. Budget amendments need to be made during the year for expenses that were not budgeted for.

Redepenning pointed out the Intergovernmental Revenues. Almost \$17,000 was received due to grant applications by the clerk and himself. The board thanked them.

We discussed the informal agenda for the annual meeting. We will read the minutes and then report on the annexation and other town business. We should be prepared to report on the roads and the casino issue. We'll review the annual report.

The committee of Ed Halvarson and Dick Riddle will give their report on the financial feasibility of a building project. Treasurer was asked to have the figures on funds that were received and spent in relation to the sale of the land and the total funds set aside for a building project.

We discussed the plan that Foth and VanDyke presented last year and was approved by the town board. It seems it was unacceptable to a lot of people and cost prohibitive but we don't have cost estimates for any other type of building. We need to find out the legal process to terminate the first building process and start over. Clerk will talk to Mitby.

Kamm asked if there would be any impact to the town and/or its borrowing power from Governor Thompson's proposed tax freeze. Could this affect the building project? Ambe said she felt it would not affect us to any great extent since our mill rate took a big jump this past year.

Clerk pointed out the new All-Car building on S. Stoughton Road is much larger than we need. has 7 bays and was built within very close to our allotted amount of available money. We need to research other possibilities but we also need to have an agreement prior to that between ourselves as to the basic needs of the town and be instructing a builder or committee as to our needs rather than having them tell us

what we should have. Once we agree on our basic needs we need to stick to that. Moody pointed out the committee did a lot of work and put in a lot of effort, however they were not familiar enough with the needs.

We discussed anticipated attendance at the annual meeting. There have been a lot of inquiries as to the time so we may have a very large crowd. Since we only have 20 chairs it was decided not to put them out since there wouldn't have enough room for any more people. It was agreed to use a paper ballot to insure that only town residents vote.

Ampe explained to the newly elected town board supervisors the reasons to submit a per diem request and the method of payment. She explained that you cannot take more than one per diem in one day even if you have several meetings. The practice has been to take 1 or 2 miscellaneous business per diems per month, because you will spend a very small amount of time on various matters which collectively add up to a great deal of time. That practice shall be continued as long as it is not abused. Per Diem rate is now \$35.00.

Board is automatically a commissioner of Sanitary District #8 and the per diems for that are \$10.00 per meeting. If you are required to visit the well site or take care of other matters for the district that would be a \$30.00 per diem.

Mileage is reimbursed at the allowable IRS rate, which is 28 cents per mile and is paid quarterly.

We talked about the Open Meeting and Open Records law. This will also be covered in the training session the Wisconsin Towns Association is sponsoring and literature will be provided at that time. The town pays for attendance and it is highly recommended the new board members attend.

Ampe welcomed Berg and Braun to the town board. She pointed out that Redepinning, the clerk and the treasurer were all willing to help orient them and to please call on them for answers to questions to make sure you understand the issue prior to speaking on behalf of the board.

Ampe provided an information sheet regarding committees and distribution of responsibilities for the board. Sasso and Moody discussed their areas of responsibility and what was involved. Appointments will be made in the near future.

Sasso explained Sanitary District #8 has a certified waterworks operator as required by the State. Steve Swenson takes care of the maintenance on a daily basis.

Moody wondered if the liaison to the fire department and the board member for Sanitary District #8 might be one and the same. This might make the responsibilities for flushing the

hydrants and turning the valves. etc. more compatible. After briefly reviewing these committees she asked them to give it some thought and we will discuss it more at the time the appointments are made.

She pointed out that we have a Disaster Plan committee who has been working on a plan for the town. Moody has been working with Dane County Emergency Management, Chief Ames and Tom Humphrey of the fire department, Rocky Redepenning to develop a plan. It has been put on hold because the Dane County Towns Association is working on a generic plan so that most towns will develop their plan around that.

Sasso said he was the liaison to the Sheriff's Department and they can be reached at the SE Precinct.

Madison Board of Realtors has invited all newly elected officials to a "get acquainted" reception on April 20th.

The Dane County Board of Supervisors has invited all town elected officials to a meeting at Pine Bluff Community Center to discuss common areas of concern. It will be Saturday, April 17th.

Vouchers were approved on motion by Sasso, second by Moody.

Dane County Highway Supervisor Norwell has recommended to the towns that all patrol personnel should be wearing protective ear covering when they are working with most equipment. They should also have a hearing test annually. Redepenning was asked to contact him for further information.

CLERK - Permits were granted to ESBMA for Carnival. 5 day Class B Fermented Malt Beverage, Cigarette, Restaurant and temporary operator permits for Brian Bergenske, Jack Morehouse and John Briggs on motion by Ampe, second by Sasso. We are to send them the same letter as last year specifying the requirements.

Operator permits were approved on motion by Moody, second by Sasso pending receipt of their Certificates of Completion of the Bartender Awareness Course for Amy Geurgink, Thomas Leffler, Gary Assink, Jim Rosemayer, Jeani Bergholz, Philip Doll, Jr., Alan James Heidemann, Hans Rahn and John Baumann all from Holiday Inn SE.

Larry Caryl of Abacus Appraisers inquired what the position of the town would be on Zink Avenue if the developer would be willing to pay the cost of developing both sides of the street. Ampe said it would have to be approved by the City of Madison since one half of the road belongs to them. Ampe said we will have to research this further. Loescher's property is landlocked and he has indicated he doesn't feel justified in being taxed for useless property. Ampe will

talk to Mitby and the Realtor.

Bob Castleberg of Stark Realty has inquired as to the possible sale of the town land by the fire station. By previous board decision he was told it is not for sale.

Gausmann Trenching has submitted a notice that as of the 15th of April they will be charging \$350.00 for grave openings. We charge \$400.00 at the present time. We can discuss at a future meeting whether to raise or lower our charges.

The insurance is up for renewal. It was agreed to have the agent attend a future meeting to review coverage and meet the new board.

We received notice of the Southeast Businessmen's Association meeting. We might want to appoint a board member to attend because they are very knowledgeable about development in the Hwy 12, Femrite Drive, proposed casino area. Moody has been attending and recommends we appoint a representative.

Clerk asked if there was a response from Waunona Sanitary District regarding sharing the cost of repair of Commercial Avenue from a previous water main break. Sasso said they had discussed it at their meeting. The break is 11 years old and their clerk is to be sending a letter.

Sasso said Chief Ames had asked about the raise that was due him in February. Clerk and Treasurer responded that he was due a raise after 6 months following a written performance evaluation.

Ampe personally thanked Sasso and Moody for their service to the town. She appreciated it and will miss them both.

Clerk thanked all of the candidates for the nice clean campaign that was run.

Chairman Ampe read the Oath of Office to swear in Clerk Moody.

Chairman Ampe, Supervisors Berg and Braun, and Treasurer Brown were then sworn in by the Clerk.

Being no further business the meeting adjourned at 8:40 p.m. on motion by Sasso, second by Moody.

Respectfully submitted,

Barbara K. Moody
Clerk

TOWN OF BLOOMING GROVE

Treasurer's Report

MARCH, 1993

CHECKING ACCOUNT

Previous Balance	\$ 25,648.09
Receipts (Includes State Lottery Credit 98,122)	104,252.70
Interest	61.60
Disbursements (Includes IGIF savings \$80,000)	116,698.43
Maintenance Fee	35.34
Ending Balance	\$ 13,228.62

INVESTED FUNDS

General Town -	
Prime Investment	\$ 5,517.15
State Pool	415,309.46
State Trust Fund	26,849.94
Certificate of Deposit	-0-
Sub-total	\$ 447,676.55
State Pool - Vehicles	34,887.81
State Pool - Cemetery	15,803.88
State Pool - Land Sale	249,316.87
TOTAL TOWN FUNDS	\$ 747,685.11

BLOOMING GROVE ANNUAL MEETING

APRIL 14, 1993 7:00 PM

PRESENT: Ampe, Moody, Sasso, Berg, Braun, Brown, B. Moody, Redepenning, Guerten, Loomis, C. Loomis, J. & D. Riddle, R. & J. Stillman, A. Pfeiffer, J. Thompson, T. Humphrey, A. & J. Lucchi, H. Curley, S. Eddington, M. & J. Karls, B. Bakken, S. Gundlach, G. Hall, S. Taylor, M. Berg, D. & J. LaValley, N. Turcotte, C. Kohl, B. Montgomery, E. Braun, J. Klimoski, T. Knoop, E. Halvarson, O., K., T., & C. Ames, D. Larson, T. & M. Anderson, J. Rane, L. Grell, L. Lawry, T. & D. Brejcha, E. Kielley, B. Hills, D. Underbakke, M. Gundlach.

Meeting was called to order at 7:00 p.m. by Chairman Ampe.

She introduced the 2 new town board members, Arnie Berg and Mike Braun and thanked the retiring members, Steve Sasso and Marlen Moody for their service to the town.

Clerk then read the minutes of the last Annual Meeting which was held on April 8, 1992. Minutes were amended on motion by Jean Karls, second by Roxanne Stillman, to say the personnel committee should be established to study compensation ranges and job descriptions prior to the next annual meeting, rather than specifying for elected officials.

This was further clarified, by R. Riddle, and A. Berg, the intent was to include all employees and elected officials.

We reviewed the Annual Report. Riddle asked if there was a request last year to include 2 years in the annual report. Clerk responded there was. However, in talking to the auditors it was pointed out that an Annual Report reflects one year. There was no action taken to change this. The budget that we do in November shows a 3 year record and to do 2 years in the annual report would just be a duplication of time and effort. Copies of the budget are available to citizens at any time.

In reviewing the revenues Ampe thanked Redepenning and the clerk for their effort in obtaining \$16,823 in grant money for the town.

Al Lucchi questioned the Non-current liabilities. T. Scheidegger of Virchow Krause explained that the major portion of that was for prior service for the retirement, in the amount \$119,910. This is to be paid over a 40 year period. Al Pfeiffer asked who authorized paying for prior service. Ampe responded this was approved by the town board and was approved at the annual budget meeting.

Ampe reported on the status of the annexation. The courts returned the property to the town and the City of Madison has appealed that decision. We can expect a decision late fall.

The proposed casino is temporarily on hold. The Winnebago Tribe is in litigation with the State of Wisconsin regarding their right to locate a Class 3 Casino on that site. They have decided not to pursue a bingo parlor at this time but rather to wait until their suit with the State is settled.

The Milwaukee Street/Highway 51 Intersection will be reconstructed in the future and this will have an impact on several of the town businesses.

The Rodefild Landfill is being expanded both horizontally and vertically. Ampe is on the committee and they have been successful in getting a Cottage Grove resident appointed to the committee also, since they affected a great deal by this.

We are working with Dane County Emergency Management to develop a disaster plan for the town. It will be in conjunction with a County-wide plan. This would help us to know how to respond to a disaster in other communities also.

Earl Kielley asked why we were holding such a large meeting in the town hall knowing there is not adequate room. Ampe responded the number of residents attending is usually much smaller than tonight. When we learned we would possibly have a large turnout tonight it was too late to give the required 15 day notice to change the location.

Jeannie Karls asked what needs to be negotiated with the Winnebagos? What have other communities have done? Ampe pointed out they are their own entity and are not necessarily governed by our jurisdiction. Therefore it is to our benefit to negotiate an agreement with them to provide services. They can proceed with many things without our permission.

Joe Rane asked for clarification of how much money would have to be spent to develop the casino area. The impact study that was done indicates it will be upward of 1 million.

A. Berg and R. Riddle indicated they felt Attorney Mitby should be present at town meetings to address legal issues the town residents might want answers to. Riddle requested we should try to arrange that for future meetings.

In answer to several questions it was pointed out the taxes have already been affected by the annexation because the properties were not in the town at the time the tax roll was prepared and the budget adopted.

There were several questions raised regarding what appears to be double revenue. We budgeted and set the tax levy based on the fact that the annexed area was in Madison. We then got the property back. Does this mean we have tax revenue from both places? It was pointed out we lost revenue last year that we had budgeted for and never received. IE: \$60,000 in

motel tax plus approximately \$15,000 in legal fees. The motel tax went to the City and we will not recover that.

We discussed the possibility of reviving the building project for a new town hall/fire station. Ampe reviewed what had been done to date and said that at the 1992 annual meeting the project was put on hold.

Ampe reported we had grossed \$313,365 from the sale of the land at Buckeye Road and Highway 51. After deducting all the expenses related to subdividing, developing and selling the property we received a net income of \$250,072.48. We have accrued another \$697.68 interest. We have, as of 4/14/93, a balance of \$252,396.15 in our building fund.

R. Riddle and E. Halvarson had been appointed as a committee to review the financial status of the town in relation to building. Halvarson pointed out the proposed building project was in excess of \$300,000. He asked Virchow Krause to comment on the town's ability to finance the balance of approximately \$48,000. Scheidegger stated we have the capacity to borrow up to 4 million and we currently have \$12,000 outstanding debt. Riddle expressed his concern about the financial impact of borrowing when we still have the potential to lose so much of our tax base. Several people voiced their concerns over potential annexation.

Ed Braun asked what would stop the City from annexing that property if we built a new building. Ampe said they can't annex without the property owners' consent for a majority of the property.

Halvarson pointed out that annexation will occur over the next several years in bits and pieces. In the meantime we still need to provide services to the town. You have to provide for the future.

Earl Kielley asked if there was an alternative to the proposed \$300,000 plan? Could we look at other options?

Loomis pointed out that the area by the fire station was annexed to the City back in 1962. This is 31 years later and we are still not moving forward because someday we might be annexed. He suggests that we become pro-active rather than reactive to everything the City wants to do.

L. Brown said that in the 50's the City attempted to annex the area around the present town hall. It was defeated by a referendum and 40 years later it is still in Blooming Grove.

Al Lucchi talked about the meetings with City Planning. It is apparent that their growth is going to occur to the East. He feels we need to ask ourselves how many years before the City strangles us? How long can we survive? If we borrow

the extra \$70,000 will we be stuck with the liability and no assets if annexation occurs? Ampe said we would need to research that further.

Chief Ames suggested we start over with a new plan and see if it could be done for less than the allocated funds.

Carol Loomis made the motion to vote for a new town hall & fire station.

Al Pfieffer made the motion that no vote be taken until all the discussion is completed.

Roxanne Stillman made a second to Carol Loomis' motion.

Beverly Hills said the substitute motion takes precedence.

Dick Riddle then made a second to Al Pfieffer's motion.

The substitute motion carried on a vote of 29 - 15.

Jane LaValley asked if we need to consider future growth in the town when we consider a building project. Discussion focused on the fact there is nowhere to grow. We are within the City of Madison 3 mile jurisdiction and they will allow very little development within the town.

Larry Lawry felt we need to look at a different style building than previously looked at. One that would be more cost effective.

Ampe indicated that perhaps we need to advertise for a design builder to see if we can develop a less expensive plan.

Joe Rane asked for clarification of the lost revenue. Tom Scheidegger responded we lost approximately \$8,800 in property tax and \$69,000 in room tax. Our total mill rate increase to cover anticipated losses went from 2.32 up to 4.90.

Riddle said he is very concerned about the amount of movement in the town. In the past 17 years there has not been as much annexation movement as there has been in the past 2 years.

He also said he felt the townspeople appreciate the fire service. They do an excellent job and would like a new, modern building. However, he is very concerned about the loss of tax base.

Carmen Ames asked if we had already increased taxes to cover the lost revenue and what would we do with the money we have if we don't use it to build?

Loomis thanked Riddle for his comments and asked about using the monies that have been set aside for a building.

Riddle feels it could be used to lower taxes or kept in reserve.

Al Pfieffer said the past is gone and we should be addressing the future. He feels our future has a great deal of uncertainty and we should be cautious.

Roxanne Stillman said we should use the building fund money for the purpose it was intended.

Mike Braun indicated he can see both sides of the issue very clearly. He also feels there will be a portion of Blooming Grove for at least 15-20 years and we need to address storage and other space needs.

Marlen Moody stated he feels we should proceed to design and build a building within the \$252,000 allocated monies. He did not approve of the previous design and feels we need to start over with something more basic. If he had known that it would now be a question of whether to build or not he would never have supported selling the town property. We still must provide services and we need to plan accordingly.

Barb Moody pointed out that most of the discussion in regard to annexation focuses on property east of the Interstate. That leaves a great deal of the town that requires services. She also stated that in the original discussion for a building everyone present agreed we need to address the problem of storage and a meeting room. Nothing has changed and those needs still need to be addressed. We also are required to comply with the American With Disabilities Act and we will probably have to spend a large sum of money getting the present buildings into compliance if we don't build.

Mary Berg feels the roads in Blooming Grove are in terrible shape and what other expenses the town may be anticipating? Ampe said that we budget annually for town road maintenance.

Earl Kielly made a motion to vote. There was no motion on the floor as to what we are voting on. There was no 2nd.

Larry Lawry further discussed the needs of the town and how to proceed and then made the following motion: I move that the Town Board of Blooming Grove, as previously approved by the citizens of the town, complete construction of the fire station and town hall. Such monies as necessary to be allotted from the sale of the property north of the fire station and all accrued interest. This would be governed by a committee appointed by the town board. Second by Al Loomis.

Al Lucchi asked for a friendly amendment to clean up the language. He is concerned with authorizing the town board to spend that kind of money without some approval once a plan

has been created. He feels we need to back to square one and start all over.

Ed Halvarson said that after 2 1/2 years of work the plan that was approved by the building committee was the bare minimum in relation to cost and our needs. If we want to lower our desires to get a building that is another matter, but that building was designed as tight as they could get it. He said we cannot get a design builder to provide plans for nothing and if we are starting over we can plan on spending design money twice.

Al Lucchi then made the following substitute motion, second by Jean Karls: Authorize the Town Board to come up with a committee of appropriate people to work with the town board, under strict budget constraints, to see if a building is feasible and call a special meeting for the project to be voted on.

We discussed a time frame and agreed not to put a specific time limit but to proceed as quickly as possible.

Beverly Hills felt we should specify a dollar limit as a part of the motion. Al Lucchi didn't feel this should be included since we already have a fund established and we may not wish to spend all of it. Ampe said we should try to complete this within 90-120 days.

Melissa Gundlach felt we should set a cap and it could be changed at the special meeting.

Chairman Ampe called the question. Motion carried with 39 ayes and 1 nay.

Annual meeting for 1994 was set for April 13th at the fire station on motion by Earl Kielly, second by Steve Sasso.

Meeting adjourned at 9:25 p.m. on motion by Steve Sasso, second by Melissa Gundlach.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

APRIL 26, 1993 7:00 PM

PRESENT: Ampe, Berg, Braun, Brown, Moody, J. Mitby, T. Humphrey, L. Lawry, S. Driscoll, T. & S. Fucile, D. Norton, N. Turcotte, T. & D. Wex, B. Stark, O. Ames and R. Redepenning.

Ampe opened the Public Hearing on the Rustic Road proposed special assessment project. She introduced John Lichtenheld of Mead and Hunt, who is engineering the project and Dennis Norton of Dane County Highway who would do the contracting.

Nancy Turcotte asked what the bids were? It has not been put out for bids. these are estimated costs.

John Lichtenheld clarified that the estimate is based on reconstructing the road. This includes scarifying or milling up the existing surface and using that for base course and then building the road on top of that and surfacing. It would be a 24' width with 3" of asphalt on top. It also would include some ditching, seeding and sodding.

The assessment roll was based on a square foot basis, rather than a frontage foot because it was felt this was more fair due to the nature of the lots. They are all approximately 5 acre parcels.

There was considerable discussion as to the specifications and procedures.

Dennis Norton of Dane County Highway Department explained their role. They charge on time and materials and do their own engineering and inspecting. Their estimate of \$80,000 includes an \$8,000 contingency fund. It may actually be done for the \$72,000 they feel it can be done for.

Redepenning pointed out several projects that County has done for the town, rebuilding Sprecher Road and resurfacing the frontage road by the fire station and said he feels they do an excellent job.

Attorney Mitby pointed out the common way to do this is for the town to borrow the money to pay for the project and then assess it back to the property owners over a given period of time. The town generally adds a one quarter percent administrative fee. The town can borrow the money for a different period of time than it assesses for.

Larry Lawry discussed the cost to the town to maintain that road. In the past few years the town has not spent much money repairing it and he was wondering if the town could contribute to this project from the money they will not have to spend maintaining it.

Ampe responded that they residents of Rambling Acres were all special assessed when their roads were blacktopped and the town didn't contribute any money for that.

Clerk pointed out that all subdivisions in Blooming Grove have had to pay for their streets to be blacktopped, not just Rambling Acres.

Milwaukee Street improvements were questioned. Redepenning responded that the part that is in terrible condition is in the City of Madison.

Dianne Wex asked why if this was voted down 2 years ago it is being done. They just bought their home and were not told about this prior to getting the notice.

Jean Klimoski asked why they were not assessed for road work that was done at their previous address but are for this. Ampe said you are only assessed when the road is improved, not when it is maintained. Once you pay to have it improved it then becomes the town responsibility to maintain it.

Tony Fucile questioned several of the technical aspects of the project which Lichtenheld and Norton addressed.

Clerk said she had been questioned about having private driveways done at the same time. Could it be done and would it be less expensive since the equipment is already there. Norton said this should not be addressed with the town or the county. Once the bid is let they should contact the contractor for a bid.

Bill Stark asked if there are any other options for the property owners. Could it be double sealed again? Dennis Norton said they would first have to get rid of all the mud and undercut the road, excavate the base course and gravel it. The estimate that we currently have includes \$28,000 for asphalt. You would eliminate that and add approximate \$10,000 for double seal and the road would probably last about 2 years again.

There was discussion again as to the town participation in some of the cost. Particularly since most of the residents felt the base should have been better maintained.

There were several questions about the need for culverts and the size. There are 2 building projects that require driveway permits. Clerk was told to issue the permits stating the size of the culvert would be determined when the road work is done. Cost of culvert will be paid by the property owners.

Ampe then closed the public hearing.

Mitby said he did not have a final resolution prepared

because he wanted to wait until we had determined the cost and the repayment schedule.

The board discussed possibly cost sharing for the project.

Berg then made motion to proceed with the project, to be assessed over 8 years and the town should share in the project at 10% of the cost. Estimated cost is \$80,000. The town will borrow the money at the lowest rate available and add 1/4% administrative fees. Second to the motion by Braun. Motion carried unanimously.

Berg asked if there was some way we could bring pressure to bear on the City of Madison to maintain their streets which abut the town. Dennis Norton explained that it is difficult to get a response from the City Engineer and perhaps the best way to approach it is to call the appropriate alderperson for the area. Braun told the residents he would contact them by Wednesday with the name of the alderman.

Braun made motion to adopt the engineers report, which includes the assessment roll. Second by Berg.

STREET WORK - We discussed the road work that needs to be done. April Hills should be sealcoated, there are bad spots in Gallagher Plat, Marsh Road needs to be finished. Pam Dumphy of Dane County Highway Department will be touring the town with the board on Thursday and will then send us proposals for costs. We will then decide which work to do within our budgeted money.

There has been some discussion by the residents to look into making Lee South Court an improved road. We will get an estimate from the County on that too. If we proceeded with that it would be a special assessment project also.

Redepenning asked if the town board could send a letter to Michael Brennan on Beegs Road. When his home was built there were tree trunks dumped in the right of way. He has been asked to remove them but so far he has not. They interfere with the drainage in the ditch. Clerk was asked to send a letter and cite the town ordinance - 4.03 - and the stumps should be removed within 30 days.

Redepenning had a vehicle towed to the town garage in March. The property owner, Shannon Reilley, has not claimed it or paid her \$60.00 in tickets. Redepenning talked to the Dane County Sheriff and they said we can give her 21 days notice or we will begin action to take title to the vehicle.

FIRE DEPARTMENT - Chief Ames asked for the raise that was due him in February. It was supposed to be granted upon a written performance evaluation. Ames pointed out that it would be difficult for the new board to evaluate him so maybe

the Chair and 2 officers at the fire department could do it. It was suggested Sasso should be asked to do it since it was his responsibility. Ampe said he might not want to since he isn't getting paid for it. Mitby said he should be asked to do a final report. Ampe will contact him and ask him to prepare it by the next meeting. His raise would then be retro-active back to February. Mitby asked what his current salary is and what was indicated for a raise. He currently receives \$300.00 and was told he would receive another \$50.00.

Ames reported he would be gone for the next 2 weeks. He is Ames will be attending the Fire Academy in Emmetsburg, Maryland for one week. then he will be gone on vacation. Jeff Thompson will be in charge in his absence.

He and Jeff Thompson will also be attending a Chief's convention in June. It is held at Holiday Inn West so he won't have any room costs but their costs for enrollment and meals will be approximately \$100.00.

Ames reported that Engine #1 needs a lot of body work and it may run about \$1,800 but he has not gotten any bids yet.

Tom Humphrey reported the Hepatitis B shots will be \$100.00 apiece plus a \$50.00 administrative fee. Ames said the \$50 could come out of the training budget. We will be paying for 26 people including Redepinning. Berg suggested that the fire department needs to provide the town with an accounting of who received the shots, since this is a potential liability to the town. Humphrey said the employer has the responsibility to maintain the records. Ampe said we recently went through the process to no longer have the firemen as employees. They are volunteers. We no longer pay them a minimum fee per call. Mitby suggested the chief should be appointed to maintain the records. Humphrey also asked if Mitby could draft a waiver for the firemen who do not want the shots, relieving the town of responsibility.

Braun asked if there is some way we could require reimbursement from a fireman who does not continue with the department before he completes the shots. It was decided since they are not getting paid in the first place it would be difficult to ask for reimbursement.

Humphrey asked if workmen's comp would cover time off from an illness caused by an exposure. Ampe will check into it.

Humphrey said he would like to meet with Attorney Mitby to discuss a personnel issue. He will call to arrange it.

After discussion we agreed to change our meeting nights to the 2nd and 4th Tuesdays on motion by Braun, second by Berg.

We discussed the annual meeting. Berg feels the space needs

for a town meeting need to be addressed and by having it at the fire station next year that will help. He also feels we need to have an agenda. Mitby discussed the difference between a town meeting and a town board meeting and that a town meeting you can have a list of topics but you discuss whatever the town people wish to bring up and State Statute empowers the residents to vote. He recommends we have a parliamentarian present to help determine what votes are binding and which are advisory.

We need to set a date for a town meeting to authorize borrowing the \$80,000 for the Rustic Road special assessment and the \$30,000 for the new truck. This was set for May 11th on motion by Braun, second by Berg.

Ampe explained that our policy has been to put the town insurance out for bid every other year, so we won't do that until next year. We will invite our insurance agent to attend a meeting to explain our coverage. Clerk will arrange it.

Ampe asked the following people to the building committee: Arnie Berg, Chairman; Nancy Turcotte, Barb Moody, and Jeff Thompson from the Fire Department. She will contact someone from the McFarland area as the 5th person. The first meeting is scheduled for May 3rd at 7:00 pm.

On motion by Braun, second by Berg, it was agreed to compensate Redepinning and the building inspectors \$25.00 if they are required to attend Maple Bluff court as a follow up to a ticket they issued. Berg asked if this is a town cost or is it recovered in the court costs. Mitby explained it is recovered if the Judge awards it.

Ames asked if the fire department can be granted the authority to enforce fire codes. Mitby said we need to look at what kind of ordinances we might want for the fire dept. He suggested Ames obtain copies of ordinances other municipalities use so we could use them as a basis for drafting ordinances. Berg asked why there is a need for an ordinance if it is a state code. Ames explained it is to keep better control. The state has too little personnel to enforce all the problems in a timely manner and it is a benefit to the town to clear these problems up as quickly as possible.

CLERK - An Operator's license was granted to Ron Stormer for for Jerry's Place on motion by Berg, second by Ampe.

MG&E has requested a permit for an underground extension on Rustic Drive for extending service to Klimoski's house. Granted on motion by Ampe, second by Braun. MG&E also requested they be notified on our planned street work so they can lay their anticipated lines at the time.

We received a letter from Kelly McKinstry regarding her water

problem. Mitby agrees this is not really a town problem but a civil matter. He suggested if action has been started she might want to contact the Dane County Mediation Program. Clerk to send her a letter suggesting that possible recourse. Braun suggested maybe one of the board members should help mediate this problem. Ampe feels we should not be getting involved since it is a civil matter. Mitby agreed.

Mitby reiterated again that we should not release the feasibility study to the Wisconsin Winnebago Business Committee until we have an agreement to be paid for it and pay for the cost of development. Mitby explained to the board some of the concerns the town should have as far as costs of fire protection and other services the town will need to provide if a casino is built.

CHAIR - Wisconsin Urban Towns is meeting in Wausau on May 8th. Braun will attend.

Ampe said she had attended a meeting at Wis. Dept. of Transportation regarding their plan for the Hwy 12 & 18 intersection of I-90. They are now changing their plan for that road because their previous proposal will not accomodate the anticipated traffic if the casino is built.

Vouchers were approved on motion by Berg, second by Braun.

City of Madison has invited us to a meeting of several municipalities to discuss Cable TV. Ampe didn't feel there was any benefit in attending. Mitby said there is concern about the escalating costs that needs to be addressed.

Wisconsin Towns Association elected officials workshop is at the forum. Braun, Berg and Moody will attend. Chair recommends Braun & Berg attend the continuing officials workshop for Board of Review. We will be holding that in June.

Assessor has requested Open Book be set for May 19, 1993 from 9:00 - 11:30 a.m. Board of Review must be in session for 4 hours as per state statute. It was set for Wednesday, June 2nd from 5:00 - 9:00 p.m.

Clerk asked how to communicate with the board so they are aware of what is happening. Berg and Braun said they would try to stop a couple of times a week to check their mailbox.

For the new board members Mitby explained his role with the town and said that he only attends board meetings when he is invited. He was here tonight because of the Rustic Road special assessments.

Oregon School District has been inviting us to meetings regarding their long term planning for school growth.

County Executive Rick Phelps has sent a letter about Take A Stake in the Lakes for the board to review.

Minutes of the April 12th meeting were approved as read on motion by Braun, second by Berg.

We discussed the appointment of a liason to the fire department. This was tabled to a later meeting. Braun was appointed to the Street Department.

Being no further business the meeting adjourned at 10:15 pm on motion by Braun, second by Berg.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

MAY 11. 1993

7:00 PM

PRESENT: Ampe, Braun, Brown, Moody, Redepenning, Humphrey.

Minutes of April 26. 1993 were approved as presented on motion by Braun, second by Ampe.

Treasurer's report for April was approved on motion by Braun, second by Ampe and a copy is attached.

STREETS - We received the bids from Dane County Highway Department. At the request of Catherine Puisto of Lee South Court we had asked the County to give us an estimate to blacktop her street and she would talk to the neighbors to see if there was any interest in having it done at this time. After discussion with her neighbors it appears there is very little interest in having it done. The estimate was for \$9,615.00.

We also got a bid on blacktopping Sig Court. That would cost \$2,175 estimated. The town owns most of the land. If we special assess this it would probably cost more for the engineer to create a special assessment district than it would for the town to pay for the property owners share, which would be approximately \$1,000.

We budgeted \$40,000 for street work. We also have set aside \$21,500 from 1992 that carried over because the intersection of BB and Sprecher was not completed because of the contaminated soils. They are planning on completing the intersection this year at a cost of \$15,000. Ampe said we need to do this work so if we have to borrow some of the money we will do that. Clerk pointed out a decision to borrow will have to be made soon because it requires a town meeting. Braun suggested we pay for Sprecher and BB in 1994 since they won't do the work until late fall.

It was approved on motion by Ampe, second by Braun, to do the following work as per the contract specifications and borrow the money if necessary: April Hills - \$15,800, Gallagher Plat (Base Patching)-\$31,871.25, Gallagher Plat (Asphaltic Overlay) -\$7,551.50. Total bids accepted - \$55,522.75.

Next year these areas should be sealcoated after we do the repair this year.

We took action to adopt the final resolution for the Rustic Road Special Assessment project on motion by Braun, second by Ampe. Copy is attached.

Clerk reported that we had an Open Records request from Nancy Turcotte for all road construction work done in the town in the past 5 years. She responded that the only construction we had done was to Sprecher Road and that was not

assessed to the property owners since it was already an improved road.

We took action to award the contract to Dane County Highway Department in the amount \$80,000.00 for Rustic Road on motion by Braun, second by Ampe. We need to have a town meeting to authorize borrowing of funds.

FIRE DEPARTMENT - Humphrey reported that 8 people have already obtained their Hepatitis B shots. The rest will get theirs on June 21st. We will get billed by Dane County Health Department and Twin City Wholesale Drug Company.

The Fire Department requested the use of the fire station for a car wash fundraiser. The funds would be used for a summer picnic. Approved on motion by Ampe, second by Braun.

The personnel issue on the agenda will be handled by the fire department on advise of the Chair and Atty. Mitby and will not be discussed by the board.

Humphrey asked if No Parking signs could be installed on the frontage road. When All Car had their Grand Opening it was a problem. Ampe said if it continues to be a problem the board would look into it.

CEMETERY - Redepenning said there is a lot of work to be done on cemetery markers. We will have to see if funds were budgeted for that. Braun will contact Blooming Grove Greenhouses to see if they are donating flowers for the cemetery again. He would like to present them a Certificate of Appreciation from the town for their donations.

Braun made motion for Redepenning to purchase sod for the cemetery maintenance. Second by Ampe.

Ampe appointed Braun as the liaison to Sanitary District #8. We will wait to make further appointments until everyone is in attendance.

No action was taken regarding the raise for Chief Ames so it was agreed to have the Chair and 2 Fire Department officers evaluate the Chief so he can be granted his raise. They will do this on the 24th.

CLERK - Town of Dunkirk is having their Area Towns Meeting on the 20th. Braun will attend.

Mark Lambrecht from the Laub Group will be attending our meeting on the 25th to review our insurance.

Dennis Domack will be attending our meeting on June 8th to discuss long range planning.

Our Dane County recycling report shows we are recycling 9.94 lbs. per capita for the last 6 months of 1992.

There is a Clerk seminar in Barneveld in June which Moody will be attending.

We received our new rate schedule for Workmen's Compensation.

Clerk reported on the 1st Building Committee Meeting. They are reviewing the needs and will be discussing the building further. They also discussed how much need there will be in the future for a fire station. It was agreed by the committee that discussion of a fire department was a function of the town board and the committee was only charged with planning a building to see if it was financially feasible.

Braun asked about being in the Monona Memorial Day Parade. They sent an application for us to fill out. Clerk said that is always handled by Redepinning and the Fire Department.

Braun suggested the Fire Department might call on schools to do presentations on fire safety as a Community Service project. Clerk said they have done that in the past. He may ask them to go to Abundant Life School if that would not be a problem with the board. It was agreed it was not a problem.

Treasurer reported there are a couple of houses on Rathke Avenue that are very unsightly. Braun will check them out and clerk will send a letter reminding them we have a property maintenance ordinance.

The date for the town meeting to authorize borrowing \$80,000 for Rustic Road and \$30,000 for the Public Works truck was set for May 25th at 7:00 pm.

Being no further business the meeting adjourned at 8:00 on motion by Braun, second by Ampe.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE SPECIAL TOWN MEETING MAY 25, 1993 7:00 PM

PRESENT: Ampe, Berg, Braun, Brown, Moody, R. & Y. Redepennina, L. & K. Lawry, N. Turcotte, B. & S. Stark, S. & T. Fucile, J. & B. Klimoski, G. Schmirler, S. Driscoll, T. Leqler, J. Nicka, K. Bryan, M. Lambrecht, D. Wex, T. Hunphrev, J. Thompson, M. Moody, O. Ames, J. & A. Obrieht, S. Sasso, E. Kamm.

Meeting was called for the purpose of borrowing funds in the amount of \$30,000 for a new public works truck and \$80,000 for the Rustic Drive special assessment blacktop project.

Redepennig described the truck we are purchasing. It will have a wing for plowing. We will probably sell the one we are replacing thru bidding. It is a 1976. Ampe said we can do better selling it outright than to trade it in.

Motion was made by Ames, second by Berg to borrow \$30,000. The bid for the truck was \$63,000. the balance will be paid out of monies that were set aside in previous years for this purpose. Motion was made by Ames, second by Berg to approve the borrowing. Motion carried on a vote of 9-1.

Motion was then made by Berg, second by Ames to borrow \$80,000 for the purpose of Blacktopping Rustic Drive. There was no discussion. Motion failed on an 8-8 tie vote.

Bill Stark then indicated they have some concerns but will address them during the town board meeting.

Being no further business the meeting adjourned at 7:10 p.m. on motion by Ames, second by Lawry.

Respectfully submitted.

Barbara K. Moody
Clerk

PRESENT: Ampe, Berg, Braun, Brown, Moody, R. & Y. Redepennina, B. & S. Stark, Turcotte, L. & K. Lawry, S. & T. Fucile, J. & B. Klimoski, G. Schmirler, S. Driscoll, T. Lecler, J. Nicka, K. Bryan, M. Lambrecht, D. Wex, T. Humphrey, J. Thompson, O. Ames, J. * A. Obrecht, S. Sasso, E. Kamm.

Minutes of 5/11/93 approved on motion by Braun, second by Ampe.

Mark Lambrecht of the Laub Group reviewed the insurance proposal for 1993. He provided a summary of coverages and costs. Our liability is at 2 Million. He feels we should also have umbrella coverage. Berg asked if the Laub Group had developed a profile of coverages for towns. Lambrecht said he had no knowledge of any. Each town has different needs. We have our Public Officials liability with Halvarson-Reisch. He would like the opportunity to provide that coverage also. There was also a question as to the coverage for the people who are authorized to issue citations. Are they automatically covered or must they be listed individually? We might also want to request a record of our Workmen's Comp experience since our rate increased.

Fire Department - Ampe reported that Chief Ames had received his performance evaluation. All board members were provided a copy. It was written by Steve Sasso who said that it was based on his personal observation plus interviews with 10-12 fire personnel. Based on that evaluation a motion was made by Berg, second by Ampe to give the Chief a raise of \$50.00 per month retroactive to February 1, 1993. Braun indicated his feelings were that the raise should be much higher since he felt the Chief had performed more than was asked of him and had established records that were never there before. Ampe said she was sure that the recording keeping functions were not new. Motion carried with Berg and Ampe voting aye and Braun voting no.

Bill Stark of Rustic Drive then addressed the board with some of their concerns. The residents feel that the town should pay a higher portion of the construction of the road for the following reasons:

1. On 1/4/1977 the Town Board accepted Rustic Drive from the developer as a satisfactory road even though it wasn't blacktopped. Had it been blacktopped at the time and assessed to the residents they would not have had to pay for rebuilding the base.

2. Engineer indicated they were building a Class A road rather than Class B and they don't feel this is justified.

3. They don't feel the road has been maintained by the town and they are being asked to share in the cost of rebuilding and wouldn't be needed if it had been maintained.

4. The costs far outweigh the benefits. He presented a petition to the board stating their position. Larry Lawry asked the necessity of a Class A road. Redepinning explained that it is determined by the weight that is carried on a road, not necessarily the number of cars. Class A roads carry 80,000 lbs. Class B will carry 60% of that, or 48,000. The A is needed for garbage trucks, construction vehicles, school busses and fuel trucks. Otherwise the road will need to be replaced in a few years again.

Mitby asked are the residents are saying they don't want it blacktopped? Stark said they are willing to pay for the surfacing but don't feel they should have to shoulder the entire cost of reconstruction. After considerable discussion regarding the appropriate proportions to be shared a motion was made by Berg, second by Ampe to have the town pay 30% of the project and the property owners to be special assessed for the balance contingent upon the property owners approving the borrowing package. The residents asked for time to discuss this and stepped outside.

We discussed the condition of Siggelkow Road from April Hills to Marsh Road. Berg said that Pam Dumphy of Dane County Highway said a general rule of thumb is \$100,000/mile to rebuild a road. Based on that he estimated the 1/4 mile of Siggelkow Road would cost approximately \$25,000. Would the residents of April Hills be willing to pay for that even though it is a City of Madison street? He would like to research the possibility of this. Mitby advised the first step would be to see if this is a possibility with Madison. Braun said he is building a rapport with Alderman Carol McGuire and has written to her about the road and the blasting problems. Berg asked Ames if he would be willing since he is a resident of April Hills. Response was that he would want assurance that it will be maintained by the City.

Berg also asked about the funds available for a bike path. Could we create a bike trail through the area. Ampe suggested he talk to Dennis Dancker of McFarland to see what they have planned and to Larry Nelson at the City of Madison. Mitby again said we would require the blessing of Madison to proceed. Redepinning explained that a bike path is only an extension of the asphalt. Berg said he would want it to be a separate path and he will explore this further.

Rustic Drive residents returned to the meeting to state they will approve of the blacktopping assessment if the town will pay 30%. Mitby said we will have to recalculate the special assessments and adopt a final resolution. The residents also expressed concern about the improved road becoming a speedway. Redepinning will install speed signs at that time. Dianne Wex asked if residents could be notified as to who gets the contract in case they wish to have their driveway blacktopped. They were told to contact the town hall at the

time the work commences. They will have to work with the contractors themselves. This cannot be done thru the town. We then adopted the resolution to borrow \$30,000 for a public works truck to be paid back over 5 years on motion by Braun. second by Berg. A copy is attached.

John Obrecht requested the rental of the town property by the fire station for the sale of fireworks. He has used the corner occupied by All-Car for the past 3 years. Redepenning and Ames both expressed concern about parking and traffic congestion. With 2 new businesses the frontage road is very busy. Berg indicated his opposition and made motion to deny. Second by Braun. Motion carried. Redepenning asked about sending flowers for the funeral of Mrs. Richard Voit. Ampe felt that would be appropriate since they have been so supportive of Blooming Grove over the years. Since the family requested donations to Hospice Care or Mooseheart it was agreed to send \$25.00 to Hospice with a letter to the family on motion by Ampe. second by Braun.

Braun addressed the possible sale of the town land at the corner of Sigelkew and Mansion Circle. Altenbergers have expressed an interest in purchasing it. Mitby said town land should not be sold without specific cause. Braun felt it would be in the interest of the town to get it on the tax roll. It is not buildable because it is an outlot. The Altenbergers have maintained it for several years and have even installed a baseball backstop. It was decided not to pursue it at this time.

Braun suggested we have a "Pride in Your Community" day for purposes of cleaning it up. It should be put in the newsletter. Braun was asked by Ampe to coordinate this project and to write a newsletter article. Braun agreed and also stated he would like to be responsible for publication of the newsletter.

Building Committee - Berg reported they worked on a floor plan at their last meeting to prepare to take to design builders for recommendations and estimates. Mitby said it sounds like we are proceeding correctly but must go thru the bidding process prior to signing any contracts.

Misc.-Braun said that he would like a letter sent to Country Kitchen on Milwaukee Street commending them for their national sales achievements. Board felt this was a good idea and Braun was asked to draft a letter for the clerk to type.

Underground electric extension permit for MG&E to provide service to 405 Memphis Avenue was approved on motion by Braun. second by Berg.

Clerk - Who will be attending the Opening Meeting and Open record seminar sponsored by the State Justice Dept? Clerk.

Braun. & Brown. Redepinning will man the town hall so treasurer may attend.

Received a request for potholes on Marsh Road to be filled. Apparently the City has agreed to fill theirs. Redepinning will fill ours.

We received a request from 2 teachers to waive the fee so they may use the restrooms in Thurber Park for their picnic. Approved on motion by Berg. second by Braun.

Mitby reported that Kelly McKinstry called him again regarding her flood problem. and the parking and garbage problem. He told her if she has started a lawsuit as she has said he would be happy to discuss it with her legal counsel. She has also called Ampe and been to the town hall.

John Obrecht returned to clarify if the town land would be discontinued to all commercial use or are we just discriminating against him because of the type of business? It was agreed that it will be reviewed on a case by case basis.

Chairman Ampe then tendered her resignation effective immediately. Her resignation was regretfully accepted on motion by Braun. second by Berg. Braun thanked her for her many years of service to the town and stressed that she will be missed. Mitby stated that he has always enjoyed working with her and felt she contributed a great deal of her time and energy for the benefit of the town and he will miss her.

As per Wisconsin State Statue 17.25 Berg then made a motion to appoint Steve Sasso as Chairman to fill the term of the vacated position. Second by Braun. Roll call vote was taken: Berg-aye. Braun-aye. Clerk-abstained.

Roxanne Stillman said she had talked to Beverly Hills and was told we would have to hold a special election to fill the vacancy. Mitby said that was incorrect. As per state statute it is to be voted on by the remaining board members and the clerk. Clerk then gave the Oath of Office to Sasso and swore him in as Chairman.

We addressed the issue of the Rodefild Landfill Siting committee. This is an important issue affecting the town. Sasso made motion to appoint Braun to that committee. second by Berg. Clerk said he must now file a Statement of Economic Interest and have a letter from the clerk stating this action was taken by the board.

Treasurer - Motion by Braun. second by Sasso adopting the depository resolutions for Valley Bank and Monona State Bank appointing Sasso as a signer for all checks.

Treasurer asked for permission to disburse Roy Watson's check

a day early since he is going out of town for the weekend.
Approved on motion by Sasso. second by Braun.

Redepenning said he placed sod on all the cemetery lots that were previously seeded. Due to the wet weather it was not growing well. He is replacing the rope on the flag pole.

At the next meeting we will be discussing committee appointments. Berg asked for a list of all the committees and duties pertinent to that appointment. Sasso said he will be taking the ambulance district as his responsibility. He asked Berg and Braun to be thinking about where their interests lie. Berg indicated he would not wish to be the assigned to the fire department because he will be raising the issue of whether the fire department under it's current operation is in the best interest of the town or whether the town is best served by having fire protection provided by other sources. Sasso said he feels that the day to day operation of the fire department is a separate issue from the continuation of the fire department. Discussion of that is a board issue and should be addressed by the board with regard to budget issues and functions of the town as opposed to Berking with the fire department on day to day operations.

Redepenning discussed the damage that continues to be done to the Thurber Park shelter. He wondered how the board felt about tearing down the shelter. The tables were put in place yesterday and they are already gouged. Stillman asked if the neighbors could watch it better and call the police. None of the neighbors can see behind the building. Redepenning said we frequently find large pieces of glass in the sandbox which is a real danger to kids. Sasso said we will look into it.

Roxanne Stillman stated she wanted it a matter of record that she was not in favor of Sasso as Chair and wanted it a matter of record that she did not want her business to be hassled.

Being no further business the meeting adjourned at 9:44 on motion by Braun. second by Berg.

Respectfully submitted.

Barbara K. Moody. Clerk

TOWN OF BLOOMING GROVE

Treasurer's Report

APRIL, 1993

CHECKING ACCOUNT

Previous Balance	\$ 13,228.62
Receipts (Includes: State Hwy Aids 7,780; State pool savings 150,000)	160,766.80
Interest	71.02
Disbursements (Includes: Tax Levies-#8-7,705; #2-7,053; Dane County-15,495; School Districts -63,644; & VTAE-5,113; City of Madison 9,964-annexation taxes)	174,429.76
Maintenance Fee	30.03
Ending Balance	\$ (393.35)

INVESTED FUNDS

General Town -

Prime Investment	\$ 5,527.26
State Pool	416,588.14
State Trust Fund	26,957.60
Certificate of Deposit	-0-
Sub-total	\$449,073.00
State Pool - Vehicles	34,991.35
State Pool - Cemetery	15,850.78
State Pool - Land Sale	250,056.80
TOTAL TOWN FUNDS	\$749,971.93

PRESENT: Sasso. Berg. Braun. Brown. Moody. Redepenning. T. Taylor. M. Moody. S. Sasso. T. Humphrey. S. Eddington. N. Turcotte. R. & J. Riddle. C. McQuinn. M. Hartmann. M. Guerten. d. Malinowski. C. & A. Loomis. M. & J. Karls. C. Deadman. J. Thompson. G. Watson. W. Dwyer. K. Taylor. S. Chrisler. J. Salvo. H. Curley. D. Shah. S. Carlson. E. Kamm. D. Dancker. B. Zillmer. T. Dumphy. R. Gilbertson. M. Shaw. M. Greene. C. McQuinn. K. Hampton. L. & E. South. S. Driscoll. G. Hall. L. Lawry. R. & C. Krakau. L. Smith. D. Wex. A. Porter and V. Johnson. J. & W. Hemberger. J. Fish. W. Swallow. H. Mueller. B. Hills. S. Strassburg. L. Elsberry. Bill Nitzke. G. & J. Swalheim. R. Griffin. D. Wiganowsky.

Minutes of May 25, 1993 were approved as amended on motion by Berg. second by Braun.

Treasurer's report for May was approved on motion by Berg. second by Braun.

STREETS - Redepenning reported that we towed a car to the town garage on February 26, 1993 that was in violation of parking ordinances. The owner has been notified by Certified Mail to claim her vehicle in a timely manner. She has not done so. Atty. Mitby has advised us as to the procedure to take title to the car so we may dispose of it. There is a form that must be filed with DOT to find out if there are any liens on the vehicle. If so the lienholder has first claim. After we take title we may then dispose of it, either thru sealed bids or thru an auction. Braun made motion to proceed according to state statute. second by Berg. Carried.

3560 Carncross had called concerned about repair of road & driveway. Sasso and Redepenning looked at it. The driveway is not damaged but the road repair is scheduled. They wish to be notified when that will be done so they can coordinate paving the driveway with that.

Redepenning reported on the dumping that is occurring in the town right-of-way by Motel 6. The Dane County Sheriff's Dept. has issued 2 citations for \$250/each in the past week but they recommend we clean up the area so people don't feel it is a dumping ground. Estimate from Gausmann to do the work is between \$1,800 to \$2,000. Redepenning located a site to dump on the Roger Korfmacher farm at the intersection of Siggelkow Road and Hwy 12 & 18 so that would hold down hauling costs quite a bit. The deputies also suggested we put up new signs "No dumping allowed subject to \$250.00 fine by order of the Town Board of Blooming Grove". Motion was made by Sasso to authorize Redepenning to have Steve Gausmann proceed with the cleanup. Braun amended the motion to include the signs. second by Sasso.

FIRE DEPARTMENT - Jeff Thompson reported the fire personnel will be getting their Hepatitis B shots on the 21st of June.

BUILDING COMMITTEE - Jeff explained that the committee has worked on a plan to accommodate both the town hall and fire department needs. A plan has been approved by the committee and we are looking for town board approval of the plan and does the board want us to continue on with the project. Berg clarified that we would be contacting design builders for estimates to bring back to the town residents. If we are in the ballpark with cost estimates it would then have to be put out for bids. Nancy Turcotte works for the State and is involved in specifications and bidding and will assist with that process. Braun pointed out the annual meeting said we are to proceed with building plans. Berg thanked Jeff Thompson for drafting these plans. Berg made motion to proceed by contacting design builders. Nancy Turcotte said she was confused. It was her understanding the reason we were bringing it back to the board at this time was because Berg had said at a building committee meeting he intended to pursue with the townspeople whether we needed a Fire Department or not. As a committee we decided if he is going to pursue that aspect why should the committee plan a building until that issue is resolved. Berg responded by saying he did not perceive that to be the issue as far as the building committee was concerned. He has invited planners who will help determine our long range needs. Moody indicated that the committee had decided we need clarification from the town board as to how to proceed. If this issue of a fire station is going to be pursued shouldn't that be done before we design a building.

Sasso said that he would like to table this discussion to later in the meeting so we can hear what the planners have to say before we discuss it further.

Braun said the state statute mandates this committee to proceed with building plans as voted on at the annual meeting. Discussion of the need for a fire department is outside the scope of the building committee.

Moody asked if the annual meeting said feasible or financially feasible?. Don't we need to clarify our needs before we know what is feasible?

Sasso pointed out the need for a fire station is not even an agenda item tonight. Some guests have been invited to discuss planning. If we table the discussion until later in the evening we will have a better sense of the issues. Braun said he would like to remind the Chair that we are under state law to proceed according to the vote at the annual meeting and that we cannot table any discussion.

Sasso made motion to ask building committee proceed. Second

Sasso made motion to ask building committee proceed. Second by Berg.

MISCELLANEOUS _ Motion by Berg. second by Sasso to renew the insurance policies.

The following committee appointments were made by Sasso:

Braun - Sanitary District #8
Public Works
Personnel Committee
Disaster Planning Committee
Rodefild Landfill Committee.

Berg - Parks
Cemetery
Southeast Businessmen's Association
Building Committee
Recycling Committee
American's With Disabilities Act

Sasso - Fire Department
Blooming Grove, Burke, Maple Bluff EMS

The newsletter will be a joint effort of the board, clerk, treasurer, fire department and public works.

At the next meeting Sasso will be looking for citizens to appoint to the personnel committee. If any of the residents are interested they should contact the town hall.

Redepenning asked for input from the residents of April Hills as to the location of the basketball court in the park. Let him know if you have a preference.

CLERK - Application for Class A beer license were received from Wagner's Mobil. For Class B Beer & Liquor were received from Jerry's Place and Holiday Inn SE dba New Madison Lounge. Inc. Operator license applications came from Gerald W. Bailey, Steven Richardson, Ken Case, Steven Ganser, Danny G. Harrison, David L. Hyatt, Jr., Michael J. Sullivan, Amy Geurkink, Hans Rahn, & Alan Heidemann. These are all renewals. Restaurant license applications received from Holiday Inn SE and Wagner's Mobil. Cigarette license from Wagner's Mobil, Holiday Inn SE and Jerry's Place. Action to be taken at the meeting of 6/22/93 following publication.

Speedway Sand and Gravel made application for excavation in the right-of-way for installation of a 10" pipe for MMSD.

CHAIR - Sasso met with City of Madison today. They discussed the condition of Siggelkow Road and they are not interested

in repairing it at this time because it is not in their budget. They also are not interested in having the town share the cost or do the work. They will maintain their own roads. They are not willing to discuss Rethke Avenue either. He talked to Alderperson Carol McGuire and indicated the town is interested in working with her on mutual concerns. She will get back in touch with him.

Harold Curley asked what happened to the town hall tornado siren. It is being repaired and will be replaced soon. The county is in charge of it.

Tom Humphrey announced that a tornado watch has been issued until 11:00 p.m.

At 8:00 Sasso introduced the 4 guests who had been invited to address the town regarding planning. Berg said there are questions in his mind as to whether we are providing fire protection in the best manner or are there other options. If we build where should it be located? His neighbors have raised the issue of the town land by the fire station being too valuable for a building. He then contacted Mr. Domack to ask if there is assistance available in planning and building a fire station. He wants to look at whether a town of our size should continue to have it's own fire department. He feels this is now unofficially a town meeting and that is why he invited so many of the residents.

Bill Zellmer introduced himself as the Program Manager for a program called Community Preparedness. Their function is to help the communities develop a sense of where they want to be and what are their goals pertaining to growth.

Gene Bunnell is a City Planner. He comes from New England. Planning here is unique to him in that where he came from your boundaries are protected. That is not the case here. When it comes to planning each community has to determine their own values. How do you want to grow? Are you willing to provide the services that growth requires? We must determine our own values. Communities don't always benefit from growth. even though developers may not agree with that.

Phyllis Wilhelm of MG&E said she felt that many of the people present were focusing on a single issue that will affect them and asked that everyone try to look at the whole picture. We might want to consider planning which involves input from other communities and to try to work together to provide services.

Dennis Domack is from the UW Extension and feel it is good that we look to growth that will affect us.

The tornado siren went off at 8:15. Sasso reported that a tornado had been sighted near New Glarus. We rescheduled the

quests to attend on July 27th. Due to the weather the meeting adjourned on motion by Braun. second by Sasso.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE SPECIAL TOWN MEETING JUNE 22, 1993 7:00 PM

PRESENT: Sasso. Berg. Braun. Brown. Moody. N. Turcotte. M.
Williams. L. Burcalow. E. Kamm. W. Cattell. H. Curley & L.
Lawry.

This meeting was called for the purpose of authorizing the
borrowing \$80,000 for Rustic Drive Blacktop. The following
resolution was adopted on motion by Berg, second by Sasso:

RESOLUTION

WHEREAS. the Town of Blooming Grove. Dane County, Wisconsin
(hereinafter call the "Town") is presently in need of funds
aggregating \$80,000.00 (Eighty thousand dollars) for the
purpose of :

Blacktop Rustic Drive	\$80,000.00
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To be placed on the tax roll in 5 yearly installments of
Sixteen thousand dollars (\$16,000.00) each plus interest.

WHEREAS. the Town Board deems it necessary and in the best
interest of the Town that, pursuant to the provisions of Sec.
81.01 Wisconsin Statutes the sum of \$80,000.00 shall be
borrowed from the Board of Commissioners of Public Lands.
State Trust Fund Loan Division at the best available interest
rate.

Stephen R. Sasso /s/

Arnold M. Berg /s/

Michael J. Braun /s/

Barbara K. Moody /s/

Nancy Turcotte was present as the only resident from Rustic
Acres and indicated her support.

Respectfully submitted.

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD MEETING

JUNE 22, 1993

PRESENT: Sasso, Berg, Braun, Brown, Moody, N. Turcotte, M. Williams, L. Burcalow, E. Kamm, W. Cattell, H. Curlev, L. Lawry.

Minutes of June 8, 1993 were approved as amended on motion by Braun, second by Sasso.

Larry Burcalow addressed the board regarding a zoning change request from A-1 Ex to A-2 and a Conditional Use Permit. This would allow them to have a temporary batch mix plant as we previously approved. However, it would allow them to do this for private contracts rather than just government work. Approved on motion by Sasso, second by Braun.

Permit for Speedway Sand & Gravel to install sewer pipe at 1610 Moorland Road (Madison Metro Sewer District) was approved on motion by Sasso, second by Berg.

Transient Merchant permit was requested by Eric Stowell for the sale of fireworks at Acme Welding on Fair Oaks Avenue on July 2, 3 & 4th. They would be open until dark those days. Berg indicated his concern with the potential liability of issuing such a permit. Clerk talked to Atty. Saul Glaser of Mitby's office. If we have a sellers permit ordinance and do not exclude any specific product in the ordinance we have no basis to deny a permit as long as they comply with State Statutes. Approval granted on motion by Braun, second by Sasso with the stipulation they must have an ABC Fire Extinguisher on the premises. Berg cast a dissenting vote.

FIRE DEPARTMENT - Salvo & Thompson have made a request to attend fire school. Sasso explained it has been the practice in the past for the Chief to make the request for schools thru the liaison person, who could approve it if there was sufficient monies in the budget. The liaison then would inform the board about this school. Braun made motion for the liaison to continue to have the authority to approve fire schools. Second by Berg.

BUILDING COMMITTEE - Berg updated the board on activities to date. We have a basic draft of a plan and a letter will be sent out to several builders asking if they will submit an estimate. Jeff Thompson will attend the State Fire Chief's convention. If there are builders in attendance he will invite them to submit an estimate also. Nancy Turcotte clarified that we specifically solicited estimates from builders with previous experience in fire station construction.

MISCELLANEOUS BUSINESS - Sasso indicated that we need to adopt a policy regarding the rental of town land for commercial uses. Since we have denied rental of the land for fireworks sales he feels we should adopt a policy that we are

not going to rent it at all. There was a great deal of concern about the lack of parking and the traffic flow. Berg indicated we should pick and choose the products we are willing to allow usage for. Sasso indicated we could be charged with discrimination since we don't have an ordinance prohibiting any particular product. Braun said we should clarify if we are discussing commercial land vs. recreational land. We are only discussing commercial land at this time, which is the property adjacent to the fire station. Sasso made motion to eliminate the rental of town land for any commercial use. Charitable use could be reviewed on a case-by-case basis. Second by Berg.

Newsletter articles should be turned in no later than July 5th. Braun said he would write an article about a "Pride in Your Community" day. It was suggested it might be a good idea to coordinate this with the Fire Prevention week, since the firemen always hold an open house for that. That would be in October and could be incorporated into the clean-up of fall leaves and also the arrival of the new town truck. Clerk suggested we try to coordinate the date with Redepinning and Ames along with a suggested list of activities. We will try to coordinate a Calendar of Events as an enclosure. Berg said we should also have an article about the weather alert radio. Sasso also asked for an autobiography from the elected officials.

It was decided to have the July 27th town board meeting at the fire station. Dennis Domack and his invited guests will be addressing the town board about East side development that will impact us. It was agreed to send a letter of invitation to the Village and Town of Cottage Grove, Towns of Dunn, Sun Prairie, Burke, Village of McFarland, and City of Monona. Berg suggested we invite SEBA also.

PERSONNEL COMMITTEE - The following people will be contacted by Braun to serve on the committee. They have previously indicated an interest: Harold Curley, Steve Glass, Lance Mason & Dick Riddle. Sasso suggested that we have 5 voting members. The Town Board member (Braun) would chair the meeting but would not have a vote since they will be advising on elected officials salary. Nancy Turcotte indicated it appears they are lacking in personnel experience and there does not appear to be any women being considered. Sasso asked if she had personnel knowledge and experience and would she consider serving. She wanted to know what the role of the committee would be. Sasso explained they were looking for salary recommendations and job descriptions for employees and elected officials. They will need to work on the employees first because Redepinning and Ames will need to know the wages to start work on their budget. The elected officials will be discussed next April at the annual meeting.

CLERK - Operator's Licenses were requested for Alan Heide-

mann. Amy Guerkink. Hans Rahn. Ken Case. Danny Harrison. David Hvatt. Steve Ganser. Michael Sullivan. Peter Cernidlia. Mary Bailly-Hillestad. Ronald Stormer. & David Dushack.

Restaurant License requests were for Wagner's Mobil and Holiday Inn SE .

Cigarette Licenses were requested for Jerry's Place. Wagner's Mobil and New Madison Lounge. Inc. dba Holiday Inn SE.

Class B Beer & Liquor were requested for Gerald W. Bailey for Jerry's Place and John Q. Hammons dba Holiday Inn SE.

Class A Beer was requested for Wagner's Mobil.

All licenses were approved on motion by Sasso, second by Berg.

Clerk reported that the shed in the back yard at 313 Rethke Avenue has been demolished as per the notice sent by the building inspector.

Clerk talked to Mitby about the Impact Statement that was prepared for the Winnebagos. Is this subject to the open records since they have not paid for it? If there are any requests for it we are to refer the person to Mitby.

OLD BUSINESS - Berg said he would like to pursue the grant application for a bike path for Siggelkow Road. In the best interests of the April Hills residents he feels we should even consider sharing in the cost of improving that road even though it is a Madison street. Sasso said he would talk to the City of Madison about working together on this project. Grant applications are due on June 25th so Berg will talk to the County and try to get an application in on time. If we receive the funds we would have 2 years to do the work.

Braun provided a draft of a letter to be sent to Country Kitchen in recognition of their sales achievements.

He also will try to get the appreciation certificate for Blooming Grove Greenhouse done by the next meeting and he will invite them to attend and present it in person.

Being no further business the meeting adjourned at 8:45 on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE SPECIAL TOWN BOARD MEETING JULY 6, 1993

PRESENT: Sasso. Berg. Braun. Moody. Atty. Nordeng

Adjourned to closed session under Chapter 19.85(1)(g) on motion by Braun, second by Berg to discuss status of annexation litigation. Roll call vote - Sasso, Berg and Braun all voted aye.

7:00 - Convened in open session for purposes of reviewing the financial reports with the auditors.

PRESENT: Sasso. Berg. Braun. Moody. Brown. Ames. Redepenning. & Tom Scheidegger of Virchow Krause.

Tom donated an evening to the town for the purpose of reviewing all financial documents that we use. He reviewed all Revenue and Expense reports, balance sheets and all of the monthly reports generated by the clerk, treasurer and computer. He explained which ones the board can refer to for current information as to how revenues and expenses are running in relation to budgeted amounts. He explained the procedure for doing a budget amendment and said we could either do them as we go along or make one amendment later in the year. However, when we spend money that has not been budgeted we need to analyze where the money is coming from even if we don't do the formal amendment process at that time.

Knowing how to read these documents will help in understanding the process when it is time to do the budget.

Scheidegger explained the audit process and the reason it is done. We are not required to have it done annually since the clerk and treasurer are 2 separate positions, however, it is for our own protection.

After reviewing the Detail Ledger Sasso asked that we have a list of the delinquent Personal Property taxes and also the Accounts Receivable. He would like these for the 1st meeting in August.

Streets - Redepenning explained that Dane County Highway Department had contacted him about the bids for the contracted street work in Gallagher Plat and April Hills. The blacktop bid came in 22% higher than the original estimate. This is approximately \$3,700.00 more. After considerable discussion it was agreed to do the work and participate in Marsh Road on motion by Sasso, second by Berg. Motion carried. We will look at available funds at the first meeting in August and decide where the funds should come from for a budget amendment.

Redepenning also talked about the washout from the Richmond Hills subdivision. It washed down onto Cynthia Lane. The

Zeier property needs to be ditched. Apparently the former owner filled in the ditch for landscaping purposes. It needs to be reditched. We need to talk to the City of Madison to find out how much water will be diverted down through our streets when their subdivision is completed. Redepenning said the sidewalk is now suspended in mid-air because of the washout. The sidewalk could remain there but it would need a culvert under it. We will contact the City Engineer to find out what they are willing to do to solve the problem.

Redepenning also said the Boyken's temporary driveway has washed out and the gravel has washed to the neighbors. Clerk was instructed to send a letter to Boyken's and copy it to Kaasenhagen Builders to clean it up.

Personnel Committee - Braun reported they are having their first meeting on July 7th at 6:30. Sasso reminded Braun that meetings must be noticed at least 24 hours in advance. Their first meeting will only be introductory since they were not aware it had to be noticed.

Redepenning asked if his wages would be determined by a committee in the future. Sasso said the committee is to make recommendations to the board. All wage negotiations will still be done by the town board.

Clerk and Treasurer asked for clarification of the function of this committee. Sasso said this committee was created by action at the annual meeting requesting it. They are to look at wages, responsibilities and organization of town employees. They need to look at employee wages and benefits first since we need that information to begin the budget process. We won't discuss elected officials until the Annual Meeting in April so they don't need to start on that right away. Redepenning asked what qualified any of the committee members to make a recommendation on his wages. How do they even know what he does or should do. Sasso said they may ask to meet with various employees to help develop or revise a job description. That will be up to the committee.

Braun said this is an ad hoc group to look at surrounding areas to find out what they pay and find out exactly what the employees do in order to compile a hardcover thing to provide information to the townspeople and the town board.

Sasso clarified this committee is only advisory and hopefully it will provide the board with helpful information. When they develop a job description the proper procedure would be to talk to the person doing the job. When they complete the employees they will start to look at the elected officials. Sasso also said they should review wages and benefits as soon as possible for budget purposes and develop the job descriptions later.

We discussed the newsletter articles. Sherri Sasso will type it up and provide us the rough draft for editing. We will try to get it out prior to the end of the month.

Sasso said he will be on vacation for the next meeting. He asked Berg to chair the meeting in his absence. Sasso reminded everyone that items to be placed on the agenda should be given to the clerk by noon on Thursday preceding the meetings.

Berg asked if there had been any contact with builders at the State Fire Chief's Convention. Ames said only one was present and Jeff Thompson had talked to them.

Being no further business the meeting adjourned at 9:40 p.m. on motion by Braun, second by Sasso.

Respectfully submitted.

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

AUGUST 24, 1993

7:00 P.M.

PRESENT: Sasso, Berg, Braun, Brown, Moody, B. & S. VanDaalwyk, H. Ziegler, Redepenning, H. Curley, J. Ziegler, R. Castleberg, D. Dancker, O. Ames, E. Kamm, A. Voit, M. Suter, T. Buss and N. Paschke.

Minutes of July 13, 1993 were approved as read on motion by Sasso, second by Berg.

Minutes of July 27, 1993 were approved on motion by Berg, second by Braun after several questions by Berg.

Minutes of August 11, 1993 were approved as read on motion by Braun, second by Sasso.

Treasurer's Report was approved as presented on motion by Berg, second by Braun and a copy is attached.

John and Harold Ziegler were present to discuss their plan to do mineral extraction on 140 acres of land South of I-94 and West of Vilas Road on Seminary Springs Road. The City of Madison has 6 former landfill sites that need to be properly covered. They are Greentree, Mineral Point Road, Truax, Olin Avenue, Demetral Field and Sycamore. He provided the surface water management plan, a letter from the State Historical Society and the Reclamation plan. Access would be from Sprecher Road. He provided a plan which covered specific issues such as use, time table, process, trucking, blasting, A.N.R. Pipeline, hours of operation, use of Sprecher Road, erosion control, restoration, future use and royalty to the town. It is up to the contractor to obtain all permits and zoning changes. They require approval of Blooming Grove, Dane County and DNR.

He had previously discussed this possibility with Ampe. One of her major concern was the amount of trucks on Sprecher Road. Ziegler said the extraction would probably take 4-6 weeks each summer. The trucks would enter onto Sprecher and go north to Hwy T, which is 2/10ths of a mile. Ziegler would provide an agreement in writing to restore the road to its original condition if it was damaged.

Braun addressed several concerns. What is the proximity to the Rodefild Landfill? Ziegler said approximately 5 miles. He expressed concern with fertilizers seeping into the groundwater if the clay is removed. Also, there would be a large amount of dirt and dust, Ziegler said there would be a water wagon on site. Braun asked how much the land would sink? It is his understanding there was another clay mining operation in Blooming Grove and the land is now 15 - 18' lower than it was when they started.

Ed Kamm is the owner of the property where the previous clay

extraction was done and asked to correct the statement that the property has a lower elevation than before. It actually rose from its previous level. He also is able to use the land for agriculture purposes again. He further stated that the Ziegler operation has a good reputation for their mining operations.

Berg expressed his concern about Sprecher Road. Ziegler suggested that we have a written agreement regarding the maintenance and repair of Sprecher Road. Sasso felt it could be handled through a bond.

Ziegler will provide the name and address of the abutting property owners to the clerk who will then provide notice to them of the public hearings.

Redepenning asked about the service road. They will gravel it and grade it as needed.

Bill Hallman was present to ask the board for a decision about the use of the town land for Christmas Tree sales. Berg said the board was interested in restricting the use of town land for the sale of certain products. Since he feels Christmas tree sales is for the public good he would suggest we allow the Hallman's to rent the land for one more year since they have already ordered the trees.

Braun asked if we have already taken action to not allow the sale of any products on town land. Clerk said the board had officially taken this position.

Chief Ames was asked about any concerns he may have if the land was used. He said he did not.

There was some discussion about traffic. It was felt it could be controlled without any major problems.

Sasso expressed concerns about having a policy and then changing it because "we like your product". If we are going to have policies we must be consistent in their application.

Hallman asked for a decision. Sasso made motion to not permit the rental of the land for sales. Second by Braun.

Hallman then asked if we would consider allowing parking on the town land if he were able to rent land across the street in the City of Madison for his tree sales? He has not talked to the property owner to see if this could be worked out. Sasso made motion to approve the use of the land for parking. Second by Braun. Sasso amended his motion to restore the parking area if there is any damage. Hallman said he always does. It's all his gravel that is there now. Braun then made motion to allow his customers to park across from the garage on the town land. Second by Sasso. Margaret Suter

owns land on Femrite Drive that she needs to rezone. Her husband has a motorcycle shop and storage business on the land and she has the house, a kennel and a boarding stable. Due to the fact they are divorcing they need to be able to split it up. She needs 16.1 acres to keep her kennel business legal. This would be done on a certified survey map. Suter was asked to provide the names and addresses of the abutting property owners so the clerk can notice the neighbors prior to making a decision.

Bob Castleberg of the Stark Company was present to ask the board about the possibility of selling the remaining town land, all or part, for a restaurant site. The minimum that would be required for his restaurant would be 35,000 - 40,000 square feet. They would consider purchasing the entire parcel and leasing it back for our fire station, or buying a portion now and giving the buyer the option on the rest of the land for the future.

Castleberg asked if we intended to build a town hall on the land. They would be willing to plan around our intended use of the land. Sasso said we could not answer that question at this time. He also said we may have a problem subdividing the land as it would require City of Madison approval. The buyer would like to know what we have in mind for a price and also if we are intending to sell. Sasso thanked him for coming and said this certainly gives us something to think about. Braun asked if this requires a town meeting and the answer is yes.

Bob VanDaalwyk wanted to find out the boards feelings about applying for a rezone and/or Conditional Use Permit to enable him to put a small beauty shop in his home on Lake Farm Road. He was asked to provide the clerk a list of his neighbors so she can notice them prior to the Sept. 14th meeting.

Ed Kamm addressed the board regarding the land he owns at Sigglekow and Holscher Road. He is talking to the Village of McFarland about proposed uses of the land and has asked the Village to annex his land. The Village wanted it understood they have not asked to have this land annexed. If an annexation is to occur it will be at Kamm's request. There is a possibility the Village will purchase some of this land for a Public Works building.

Braun pointed out this enables the April Hills Subdivision to approach annexation to the Village at some time in the future since they would become contiguous with this annexation.

Mr. Kamm was thanked by the board for informing us of his intent.

Art Voit explained the City of Madison wants to buy a portion of their land which is adjacent to Regas Road. They need it

to complete the new access road to the corporate center. This City has threatened condemnation. Mr. Voit came to the clerk and asked if the City can condemn land that is not in their jurisdiction. The clerk contacted Atty. Mitby. His response was that he thought it would require approval of Blooming Grove, as per Wis. State Statute 32.02(1), unless there is another statute pertaining to highways/road that would supersede that. He isn't aware of any other statutes but would research it further if it becomes necessary. Mr. Voit is asking the board for their support in turning down the City. Braun asked if we plow Regas Road? Redepinning said that we do, even though 1/2 of it belongs to the City.

Sasso made motion to support Mr. Voit in not allowing the City to condemn his land for the purpose of a road. Second by Braun.

Ned Paschke and Tomm Buss approached the board about the culvert that goes under Southtowne Drive by Madison Metro Sewer District. It is full and there is considerable runoff. They are requesting some help from the town to resolve this problem. There were several possible solutions discussed. Redepinning felt we need to shoot some grades of the land before we have any idea of what could be done. He indicated one solution might be to extend the curb and gutter into the town portion of the road.

Sasso said we can look into this but since this improvement would only serve one property owner we probably would expect them to participate in the cost to a great extent. They said they would be willing to do whatever is necessary if that is the policy. Clerk said if curb & gutter is generally assessed to the property owner, if that is the solution.

It was agreed that Redepinning would contact Dane County Highway to view the site and make a recommendation. Perhaps they could talk to MMSD Engineers.

Sasso asked Paschke if MMSD contributes money to the City of Madison for fire protection? He said he was not aware of any payment but he would take it back to his personnel. Sasso explained that charging tax exempt properties for fire protection is an option we are discussing.

Clerk asked if the board was taking a position on researching this or are you only talking to MMSD or what is the objective? It was agreed we should probably talk to Mitby.

STREETS - Redepinning said our new truck would be available in the near future and wanted to know how we would dispose of the old one. Sasso indicated we should advertise for bids. We should check and see what the deadline is for the WTA newsletter. Berg questioned if we shouldn't determine our own value since all you seem to get is lowball offers when

you advertise for bids. Redepinning explained that it is a 1976 truck and does not have a great deal of value. He further explained that you add the phrase "reserve the right to accept any or all bids" which does not require you to sell it if you aren't satisfied with the offers. Redepinning asked how we are doing on the loans. Clerk said they have been filed with the Board of Commissioners of Trust Fund Lands and will wait for the Attorney General's approval. In the meantime, the Treasurer said we have enough funds to take delivery as long as it doesn't take too long.

FIRE DEPARTMENT - Chief Ames asked to have the following funds transferred within his own fire department budget. \$100.00 from Furniture and Equipment (52311231) and \$300.00 from Building Repair & Improvement (52311230). This is a total of \$400.00 to be allocated \$75.00 to Dues & Fees (52311320) and \$325.00 for On Board Equipment (52311314). Approved on motion by Sasso, second by Braun.

We discussed the dry hydrant at Lake Farm Park. Oregon Fire Department has now billed us \$750.00 for this. The DNR has paid the other \$750.00. The previous board approved this. However, when we signed the agreement we struck out the clause in the agreement which holds Dane County Parks harmless. The County Parks Department would not agree to that. So we don't know what the status of that is or how they could install it without an agreement being reached. Sasso explained the function of a dry hydrant. Chuck Wagner of the Oregon Fire Department sent a letter to our fire department saying it is our responsibility to maintain it. Sasso said he would like to make a motion rescinding the action of the previous board. Clerk said in the meantime we have a bill for installation for \$750.00 and she needs authority to pay or withhold payment. Sasso said he was pretty sure it had not been installed but if it has been then we will have to make the payment. Clerk asked about the liability to the town since we don't have any signed agreements and our firemen have already indicated they aren't interested in maintaining it.

Harold Curley asked why we need a dry hydrant when our trucks will siphon the water out of the lake. Sasso said Oregon doesn't have that capability so they wanted it installed.

Sasso asked Redepinning to see if it has been installed and if it has been he should contact the Oregon Fire Department. Redepinning indicated the Fire Chief should be in contact with Oregon since Redepinning isn't a fireman.

Braun then made motion to rescind the previous board action pending Redepinning checking out the property. Second by Sasso.

We discussed the letter from the City of Madison offering to

do our inspections for underground storage tank removal. Chief Ames indicated that we don't have the capability and training to handle it ourselves. Sasso then made a motion that we sign an agreement with the City for inspections and any costs incurred that the town is billed for would be passed on to the property owners. Second by Braun.

Clerk said the letter said they asked for time to come in and discuss it with us. Berg said according to the letter we can contract with DILHR as another option. Sasso then withdrew his motion.

Redepenning reported that we had applied for FEMA funds (Federal Emergency Management Assistance) for the storm damage. We probably won't know for several weeks what we will be granted. A great deal of it is for brush chipping and tree damage. Also for the sink hole on Savannah Road.

PERSONNEL COMMITTEE - Braun reported they will be meeting again on September 1st. Each committee member took a different job description and they will be meeting with the individuals to see if they need to be updated. On the 1st they will have a lengthy session to come up with wage recommendation which they will intend to bring to the board on September 28th.

Sasso said this is pretty late for the budget process. After the committee brings in their re-recommendations the board then needs to meet with the employees to negotiate wages. Then we may have to meet several more times to bring the budget totals into a palatable figure.

Clerk suggested we meet to start on all the accounts that aren't affected by wages and that way the new board members would have some time to familiarize themselves with the various accounts and the process prior to actual budget meetings. It was agreed to meet on September 2nd at 7:30 pm. Clerk will provide copies of all revenue and expense accounts for the board several days prior to the meeting. If you have questions about any of the accounts as you go through them it would be good to ask ahead of the meeting time so the clerk can have the information you are asking for available.

Berg provided copies of the format they use for the budget process at Wisconsin Bankers Association. He feels their process is much easier to understand and perhaps we could consider doing it in this format. Clerk responded that our revenue and expense reports provide the same information in a different format. Sasso felt it was too late in the season to start changing the budget process and format but we could consider it for another year.

BUILDING COMMITTEE - Berg explained the details of the proposals that were brought in by Rugg & Knopp, Architects

and also American Structures. Both proposals are over the amount of funds available. There were several options available to either add to or deduct from these figures, such as air conditioning, hose tower, blacktop parking, landscaping, etc.

Clerk said Al Lucchi had been in and inquired about the inflated size of the building. We need to look into that further because it has increased from 6,000 sq. ft to almost 9,000 sq. ft. The committee spent a great deal of time discussing the floor plan but we missed the size increase. It needs to be downsized to meet budget constraints. Clerk apologized for missing these numbers but thought we were working with the original agreed upon needs.

Berg said it was assumed that the fire department and town hall administrative people on the committee had implemented the plan they wanted, rather than what was needed. Clerk said that was not correct. She assumed, incorrectly, that we were designing a building on the agreed upon dimensions. This is to be addressed at the next building committee meeting.

Braun received a copy of the Bloodborne Pathogen Policy and the Confined Space Policy. He will provide copies prior to the next meeting so we can review them.

Braun attended several area towns meetings and the Dane County Towns Association meeting. They say the Pledge of Allegiance at their meetings and he is requesting we do this at our meetings since we are sworn to uphold the Constitution of the United States. Sasso said he did not have any strong feelings one way or the other. Berg agreed. Braun said he is proud to be an American and feels this would be a good way to demonstrate this in the future. Approved on motion by Braun, second by Berg. Carried.

Braun raised the issue of the clerk opening the mail that it is addressed to him personally. He wanted to know if we have a policy in regard to that because he feels if it is addressed to him, or anyone else, it should only be opened by that person.

Sasso said it has been the policy that the clerk needs to open the mail because some correspondence requires immediate attention or notice to all the board members. Mail that come to the town hall is town business and suggested if there was personal mail it should be sent to board members home rather than the town hall. Clerk said she does not open any mail that is marked "Personal" or "Confidential". It was agreed the present policy would continue.

Sasso would like to schedule a closed meeting at 6:15 pm prior to the next board meeting for purposes of reporting on

the meetings with the City of Madison.

Sasso reminded everyone that the next couple of months will be very time consuming and to plan your schedule accordingly. We all chose to run for this office and the budget is probably one of the most important functions/responsibilities of the town board so plan on that time commitment.

Reservations for the WTA Convention are needed soon. Sasso made reservations for himself and spouse, Braun will attend, Berg will let the clerk know.

Braun will be attending the Wis. Urban Towns meeting on Sept. 10th. It is in Eau Claire. Clerk will make the reservations.

CLERK - We received a nice thank you note from the Dennis McDonald family in Rambling Acres for the "Children at Play" signs that were installed this summer.

Dane County Highway Department awarded us a grant for \$4,500 for a bike path on Sigglekow Road with several provisions. We will place this on the agenda for the next meeting so we can take action on the contract.

We received a letter from a private company regarding a road sign inventory. Dane County Highway also provides this service. We need to decide if we want to budget for this for next year.

Atty. Mitby provided a draft of a fireworks ordinance. It should be read over and then we can decide if we wish to pursue this further.

An underground excavation permit was granted to Wis. Bell for underground lines on Sprecher Road on motion by Sasso, second by Berg.

JoAnne Jones came to the town hall and talked to Brown. She said the Winnebagos intend to pursue a bingo hall but she did not mention a time frame. They will contact the town board in the near future.

We adopted a resolution authorizing the town clerk to apply for the Wis. DNR Recycling Grant on motion by Sasso, second by Braun.

Clerk pointed out the town hall door was open in the morning again this week. That is the 5th time recently. We all have to make a more concerted effort to make sure it is locked.

Vouchers were approved on motion by Braun, second by Sasso.

Berg gave us an update on the flooding from the Richmond Hills subdivision. His concern is that the City make the

repairs in the proper and best manner. He also asked Don Mayo of the Mayo Corporation if Hovde could do the ditching and repair on Severson Drive. Mayo said Fox Construction could probably do the work. Sasso responded this is something that will probably be in the street budget for next year. Berg said he had in mind to do it this year.

Berg questioned the letter sent by Tony Haen who is a representative of MAGEAL, regarding the MG&E substation. Sasso explained they are looking for subdivision approval. He was told at a meeting with the previous board that he would gain approval if he would agree not to participate in an annexation to the City of Madison for 50 years. He said that was totally unacceptable and we have not heard from him for a long time.

Berg asked about the problem with Kelly McKinstry. The condo is resealing the driveway for the condo garages. It rained and there was a puddling of water that wasn't running off fast enough to satisfy the sealers so they took a shovel and dug a drainage ditch to run into her driveway. This caused debris and blacktop sediment to go down into her driveway. Sasso was there at 11:30 last night. She said she is suing the Condo Assoc. the town, the developer and everyone involved with the development.

Berg asked if the employees and elected officials shouldn't have business cards? Sasso agreed to check with Abe's Printing.

Berg reported on several wells in Rambling Acres that are testing with a high bacteria count. Clerk said Dane County Emergency Management and DNR are suggesting that everyone with their own wells should have them tested.

Sasso reminded everyone that a newsletter will be coming out prior to the budget meeting in November and perhaps we could write an article about the well testing for that.

Braun said the landfill negotiating committee is nearing a conclusion.

Berg said the April Hills people are still very concerned with Siggleskow Road and he moved that we send a letter to the City of Madison bringing pressure to bear that we expect that road to be fixed next year. Sasso said he will enlighten us on that situation at the closed session to discuss the annexation issues. Berg said we need to develop a strategy and inundate the city council members with the need to maintain their roads.

Sasso suggested we close the meeting with an emphasis that we all need to work together and let each other know what we are doing so that we can accomplish goals. We have a lot ahead

of us and if JoAnne Jones escalates the Winnebago Casino we could have a lot of problems. Motion by Sasso, second by Braun at 10:59 p.m.

Respectfully submitted,

Barbara K. Moody
Clerk

SPECIAL BLOOMING GROVE TOWN BOARD SEPTEMBER 2, 1993 7:41 PM

PRESENT: Sasso, Berg, Braun, Brown and Moody

This meeting is for the purpose of introduction to the budget process.

Before we began the budget discussion clerk explained she had been in contact with Adam Hogan of DNR and he will be sending literature to distribute to residents with well problems.

We reviewed all of the revenue and expense accounts. It was explained who is responsible for working on the budget for each account. Many of the accounts are established by another entity and all we do is plug in the numbers. These include accounts like shared revenue, state aids, garbage contract, recycling, health insurances, retirements, etc.

Redepenning provides the working budget for all public works, Ames works on the fire department, Brown does the property tax and treasurer budget, clerk and treasurer work on the town hall & data processing and clerk works on the clerk budget in addition to the election, assessment and board of review, audit, building, electrical and plumbing inspectors plus most of the revenue accounts. The Board is responsible for the town board budget in addition to working with the street outlay and park planning.

We need the wage recommendations in order for Redepenning and Ames to work on their budgets.

There was considerable discussion about many of the accounts.

Clerk explained the tax levy is the last number to be entered into the budget. This is after all revenues and expenses are planned and the levy is comprised of the difference.

The recycling is charged to the residents for the pickup portion. We apply for a recycling grant, however we don't know until after the budget process whether we will get these funds so we can't budget for this revenue. The board may choose to take some or all of the monies we received this year and apply it to the recycling charges for the residents.

It will all begin to fall into place once we begin the actual budget work process.

Being no further business the meeting adjourned at 9:35 pm on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara K. Moody, Clerk

BLOOMING GROVE TOWN BOARD

JULY 13, 1993

7:00 PM

PRESENT: Berg, Braun, Mobdy, Brown, Redepenning, H. Curley, M. Schroeder, J. Krueger, K. Boyd and J. Richardson.

Minutes of June 22, 1993 Regular and Special Town Board meetings were approved on motion by Braun, second by Berg.

Treasurer's report was approved on motion by Berg, second by Braun. Copy is attached. In the future the clerk and treasurer will provide the check register and receipts register as an addition to the treasurer's report. This will provide more detail as to the expenses and revenue. Both board members felt this would be helpful. As per the advice of the auditor they will also receive the Revenue and Expense reports for review. The check register and receipts will show only the monthly totals. The other reports are cumulative for the year. We will try to provide this information by the Friday prior to the meeting so there is time to review it prior to the meeting.

We went through the payroll ledger and identified the employees and what their function is. Berg questioned why a part time employee is entitled to benefits. Clerk explained that an employee who works over 600 hours is entitled because that is the way the Wis. Retirement System is established. Berg will research this.

Contract for tree removal at 503 N. Fair Oaks Avenue was granted to Jim's Tree Service in the amount of \$340.00 on motion by Berg, second by Braun.

Harold Curley and Margarete Schroeder addressed the board about the flooding that happens in the neighborhood when it rains heavily. They asked if anything could be done to clean out the storm sewers. Braun asked what it would cost to clean them out. Redepenning said he would have to get estimates. We can't even locate plans for the storm sewers.

Motion was made by Braun, second by Berg, to authorize Redepenning to contact Roto-Rooter to see what needs to be done to clean up the 3300 block up Thurber. He can also check into what else needs to be done.

Joe Krueger of 525 Rethke Avenue is replacing the flat roof on his house to a pitched roof. Because of the proximity to the lot line he has applied to Dane County Zoning for a variance and wondered if the board would have a problem with this. His hearing is August 26th at the County. We will take action at our meeting on July 27th but everyone indicated they had no problem with it as presented.

Braun presented a Certificate of Appreciation to Ken Boyd of

Blooming Grove Greenhouse for the flowers at the cemetery and extended our thanks. Boyd responded this is his way of giving something back to the community. Clerk informed the board that Mr. Boyd has donated flowers to the annual luncheon for National Clerks week the past two years.

Boyd asked the status of the annexation. We anticipate a ruling from the court in late fall on the Madison appeal.

STREETS - Redepenning met with engineers from the City of Madison and also the Mayo Corporation, who is engineering Hovde's subdivision, to discuss the runoff onto Cynthia Lane. Mayo Corp. indicated their willingness to do the ditching on Cynthia at no cost to the town. Berg expressed concern about saving the sidewalk on the Zeier property. There is no support for the sidewalk if the ditch is dug out. A round culvert would not provide much support. Berg contacted Mr. Zeier to attend the meeting but he declined because he felt this was an issue between himself and the developer.

Berg made motion to send letter to Don Mayo of the Mayo Corp. authorizing them to ditch Cynthia Lane at no cost to the town. Second by Braun.

Redepenning discussed the sewer break that occurred on Savannah Road, which is Sanitary District #8 business. Clerk explained that when Redepenning does work for the Sanitary District he keeps track of his hours and the town bills the district, since he is not a Sanitary District employee. The reason for that is so he does not lose retirement benefits for the time he works in the district.

Redepenning will keep track of all costs incurred and submit them to Dane County Emergency Management. The county is making application to FEMA for disaster aid on behalf of all municipalities.

Clerk reported that she had a call from a resident of Lee South Court. He is concerned about the runoff from the South farm. He feels we have inadequate erosion control measures in place. Clerk explained that it is difficult to have measures in place that will protect from a 100 year flood and that there are state and county laws for erosion control for construction sites. She asked the Building Inspector to call him although there doesn't appear to be much we can do. It appears to be a civil matter.

432 Powers Avenue has requested a driveway permit to come off of Webb Avenue. Clerk indicated the normal process is for Redepenning to review it for need of a culvert and then the Town Chair signs it. Berg asked if anyone had looked at it. No, because culverts are not required in platted areas. He thought it should be reviewed. Redepenning and M. Moody left to look at it. On their return Redepenning called them to

clarify their intent. They are going to erect a detached garage on the back of their property and eliminate their existing driveway. A permit was issued with the restriction they must remove their current driveway and replace the blacktop curb on motion by Braun, second by Berg. Braun made motion to authorize Berg to sign the permit in the absence of the chair, second by Berg.

Pam Dumphy of Dane County Highway sent a letter confirming the Marsh Road work will proceed this year. It was budgeted for 2 years ago and not able to be completed. The City is ready to proceed. Redepenning said Sasso had authorized the County to proceed. Redepenning will call McFarland to see if they intend to close Siggelkow Road during this construction.

Berg raised the question of the need for the town board to adopt an ordinance to prohibit the sale of fireworks within the town. He and the clerk had a conference call with Attorney Mitby regarding some matters, one of which was the enforcement of ordinances. Mitby again reiterated that if you have an ordinance you must be prepared to enforce it. There is more liability incurred if we have one and don't enforce it than if we don't have one at all. Berg doesn't perceive this one would be difficult to enforce since we would just be able to deny them a transient merchant permit when they apply. Redepenning pointed out that the fire department is researching the possibility of selling fireworks as a fund raiser. Would this prohibit that? Berg indicated it would. Braun felt because it is such a limited time period that the sale is viable we shouldn't spend town funds to adopt this ordinance. Berg asked this item be placed on the agenda for the July 27th meeting.

Action on Dane County Ordinance Amendment #5 was deferred to July 27th. Berg will talk to Beverly Hills and Braun will talk to Kelly McDowell to attempt to obtain more information.

Action was taken to recommend Vernon Wendt as the Dane County Towns Association representative to Regional Plan Commission on motion by Braun, second by Berg.

CLERK - Operators license were granted to Dana Johnson, Linda Hansen and Judith Hoffer on motion by Berg, second by Braun. They are all renewals for Jerry's Place.

Clerk provided a copy of RPC comments regarding the batch plant at Yahara Materials.

The attached resolution was adopted on motion by Braun, second by Berg to authorize the borrowing of \$30,000.00 for the purchasing a public works truck.

Vouchers were approved on motion by Berg, second by Braun.

The Dane County Town's Association meeting is at Green Acres in Sauk City on July 28th. Those who will attend should notify the Clerk. It is for all elected officials.

Sasso obtained a copy of the plan for the World Dairy Expo and the drafts are here for board perusal.

Moody will attend a July 22nd meeting of Dane County Clerks.

Braun again thanked Ken Boyd for his interest in the cemetery flowers and for coming to the meeting.

Berg discussed the opinions shared by Attorney Mitby regarding the personnel committee and the questions that have been raised about taping the meetings, keeping minutes and going into closed session. Clerk provided a copy of the pertinent section of the Open Meetings laws as suggested by Mitby. Berg said that it has been the past practice of the board to record all meetings upon the recommendation of legal counsel for purposes of accuracy and liability. Berg indicated that unless or until the board takes action to change that policy we should follow the advice of legal council. Braun said for personnel issues you can go into closed session to discuss a variety of things. Berg felt the committee was charged with wage recommendations and development of job descriptions. These are not reasons for calling for a closed session under his interpretation of what Mitby said. Braun said in the development of job descriptions you get into evaluations, even though the committee isn't charged with this. Braun said he will research the statutes himself and follow up with a phone call to Mitby. We discussed taping of the meetings. Berg again indicated these should be recorded as long as this is board policy. Braun said it is the discretion of the committee to proceed as they see necessary. Berg disagreed. Clerk reminded the board all open meetings can be recorded by anyone in attendance, even if the committee does not tape it and all the employees have the right to attend an open meeting so why is confidentiality a concern to the committee? Braun asked for minutes of a meeting where the board adopted a policy to tape all meetings. Clerk said she was sure there was no formal action taken, we were only following the recommendation of Attorney Mitby. Braun said in the absence of a formal policy he would proceed as he felt necessary irregardless of the board position or the advice of the attorney based on parliamentary procedure. Berg asked this be placed on the next agenda for further discussion.

Being no further business the meeting adjourned at 8:50 p.m. on motion by Berg, second by Braun.

Respectfully submitted,

Barbara Moody, Clerk

FORM OF RECORD

The following preamble and resolutions were presented by Supervisor Arnold Berg and were read to the meeting.

By the provisions of sec. 67.12(12) of the Wis. Stats., all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Stats., the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by sec. 24.60(2), Wis. Stats., means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under s. 60.71 or 60.72, metropolitan sewerage district created under s. 66.22 or 66.882, joint sewerage system created under s. 144.07(4), school district or vocational, technical and adult education district.)

THEREFORE, BE IT RESOLVED, that the Town of Blooming Grove, in the County of Dane, Wisconsin, borrow from the Trust Funds of the State of Wisconsin, the sum of Thirty thousand dollars Dollars (\$ 30,000.00) for the purpose of Purchasing a public works truck and for no other purpose.

The loan is to be made payable within 5 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 5.0% percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER that there shall be raised and there is levied upon all taxable property, within the Town of Blooming Grove, in the County of Dane, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the Town of Blooming Grove by such loan from the state be applied or paid out for any purpose except Purchase of a Public Works Truck without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands agrees to make the loan, that the chairman and clerk of the Town of Blooming Grove in the County of Dane, Wisconsin, are authorized and empowered, in the name of the town to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the town pursuant to this resolution. The chairman and clerk of the town will perform all necessary actions to fully carry out the provisions of Chapter 24 and Sec. 67.12(12), Wis. Stats., and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this town forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Supervisor Michael Braun moved adoption of the foregoing preamble and resolutions.

The question being upon the adoption of the foregoing preamble and resolutions, a vote was taken by ayes and noes, which resulted as follows:

1.	Chairman	<u>Stephen R. Sasso</u>	voted	<u>Absent</u>
2.	Supervisor	<u>Arnold Berg</u>	voted	<u>aye</u>
3.	Supervisor	<u>Michael Braun</u>	voted	<u>aye</u>
4.	Supervisor	<u></u>	voted	<u></u>
5.	Supervisor	<u></u>	voted	<u></u>

A majority of the town board of the Town of Blooming Grove, in the County of Dane, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.

BLOOMING GROVE TOWN BOARD

JULY 27, 1993

7:00 PM

PRESENT: Sasso, Berg, Braun, Brown, Moody, Redepenning, and 52 others.

Minutes of July 6th Special meeting were approved as read on motion by Berg, second by Sasso.

Minutes of July 13th were deferred to the next meeting. Braun wishes them to reflect he said "you can go into closed session to discuss employee wages" and he wanted a line deleted since he felt it was a subjective comment by the clerk. Clerk will listen to the tape again.

Vouchers were approved on motion by Braun, second by Berg.

Sasso introduced Dennis Domack from UW Extension, Bill Zellmer of Wis. Dept. of Development, Phyllis Wilhelm of MG&E and Gene Bunnell.

Domack distributed a pamphlet which provided statistics on growth in Dane County and what they project for the future.

Bill Zellmer discussed Planning Assistance and Financial Aid. There are funds available for some assistance. They help you define your objectives and how to attain them. Plans are only as good as your ability to implement them. He encourages the use of volunteers. Riddle asked if there are funds available for town retention assistance. Zellmer said no.

Phyllis Wilhelm talked about the need to keep your options open when it comes to providing services. One option to consider is Public/Private Partnerships.

Gene Bunnell discussed the fire service and how to provide fire protection. Are we willing to consider privatization? Municipalities need to work together for planning and development. You must look at all the options and are they truly cost effective. Which will provide the level of service we want? In the decision making process it ultimately comes down to our values. Our values determine our needs. Again, he stressed the value of cooperation between municipalities. He pointed out the pros and cons of incurring long term debt. In certain circumstances it should be avoided and other times it is the best means to distribute the cost of major projects.

Dave Wiganowsky of the Town of Burke felt this discussion should take place with the City of Madison. The towns work together quite well, however it is their experience the City doesn't feel the need to plan cooperatively.

Braun stated that borrowing funds doesn't enter into the picture. Money has been set aside to build a building so

that should not be an issue.

George Watson asked if there was any information available as to how many municipalities had changed from contracted fire protection to starting their own departments. If that information is readily available no one was aware of it.

STREETS-We opened the bids for the vehicle on which we had advertised for bids. Fred Laufenberg bid \$70.00 and Roxie's Towing bid \$50.00. Sasso made motion to accept the \$70.00 bid, second by Berg. Title will be conveyed per an Abandonment Title.

A Conditional Use Permit was approved for 525 Rethke Avenue to allow for the change from a flat roof to a pitched roof on motion by Sasso, second by Braun.

Operator's Licenses were approved as follows on motion by Berg, second by Braun: Gladys Holcomb for Jerry's Place and Jeni Bergholz & Todd Sheetz of Holiday Inn SE.

Dane County Ordinance Amendment #5 was approved on motion by Berg, second by Braun, with the condition the provisions be made for the financing of public services such as fire, police, water, sanitation and EMS, possibly through bonding and/or insurance. Braun had contacted Kelly McDowell and Berg had contacted Beverly Hills, our County Supervisors, for input into this vote.

CLERK - We received a letter from Madison Fire Department offering to do tank removal inspections for us on a contracted basis. We will put this on our next agenda.

MMSD sent a letter regarding their ditch and fence on South Towne Drive. They would like participation from the town to maintain it since there are drainage problems. We will also place this on the next agenda. Redepinning should look at it prior to the next meeting

Linda Elsberry, Chair of Town of Cottage Grove discussed the Cottage Grove position on the Rodefild Landfill Expansion. They adopted and sent to the Negotiating Committee a resolution stating there shall be no more growth. They did considerable research and feel the clay liner cannot safely hold any more weight without deterioration. Also she feels the nearby residents have already tolerated more than they should have had to. Elsberry thanked the board for inviting her and giving her the opportunity to share the view of the Cottage Grove Town Board.

Braun pointed out the City of Madison has 4 members on the committee and he is the representative from Blooming Grove and there is one representative from Cottage Grove. The City has a vested interest in the expansion since they are the

largest user. The committee is charged with negotiating the best package to protect the interest of the public and they are not permitted to take a political position.

There were several questions. Why do they go into closed session? Braun said because there are people who attend and try to participate in the discussion, rather than just listen. Why were they told it would close in 7 years and that was 19 years ago? The residents indicated enough is enough.

We discussed the need for an Ordinance prohibiting the sale of fireworks in the town. Berg indicated he is interested in pursuing this and Braun voiced his opposition to more government. Atty. Mitby thought we probably didn't want to get into the area of "use" in the town but only the sales question. The enforcement should not be a major problem since we simply wouldn't issue a permit. This is a separate issue from leasing town land for sales. Permitting the use of town land for any purpose incurs a certain amount of liability. Armstrong asked if there had been problems or complaints with fireworks sales in the past? Sasso said yes. He also asked if this would prohibit the fire department from selling fireworks as a fundraiser? Answer was yes. Mitby will send a sample ordinance for review at the next meeting to see if we wish to pursue this.

Hallmans were present to ask the board why they were told they could not use the town land any longer for Christmas tree sales. They have trees ordered. Since they have used the land on the north end for the last several years and the piece by the fire station last year they don't understand why they are being denied. Sasso said they would put it on the agenda for the August 10th meeting and give it some thought prior to that.

PERSONNEL COMMITTEE - Dick Riddle and Harold Curley were present from the committee. Riddle sees their function as updating the job descriptions. Armstrong said they were just created 2 years ago. Are they going to be changed? Riddle didn't feel this was necessarily true. The only position that doesn't currently have a job description is the part time public works job.

Braun said they were further charged with establishing salary ranges. They have contacted the Towns of Bristol, Sun Prairie, Dunkirk and Verona and the Village of Shorewood and asked them to provide salary and job description information. They chose those communities due to similarity to Blooming Grove in size. He said they distributed forms to all the town employees to fill out regarding their job descriptions.

Sasso said he wanted to talk about the policy of taping meetings and holding open meetings. He also wants the committee to expedite matters since we can't begin the budget

process until wages are negotiated. That is usually done in September since the budget process usually takes at least 2 months. Therefore it is necessary for the committee to proceed as quickly as possible on the salary recommendations.

Braun explained he has 5 years experience in personnel matters and wages and salary are generally confidential issues. He wants it listed on all agendas as per State Statute 19.85(c) that the committee will have the option to go into closed session for the purpose of discussing wages. Mitby clarified the Statutes allow to go into a closed session for the purpose of offering a specific salary to a specific person. All other discussion of wages and job descriptions must be done in Open Session based on a ruling from the Attorney General's office. Since the taxpayers are paying the salaries and benefits they have the right to know what is being considered. He said his role is to advise the town how to legally proceed. They may or may not choose to take his advice. He also doesn't like to see town board and/or committees take the risk of Open Meeting violations because neither the defense nor the fine can be paid by the municipality. It must be paid by the individual. He feels the best policy we can adopt is on the side of open government.

The other issue is the taping of meetings. One concern Mitby shared is record keeping. Sometimes you must go back several years to reconstruct a commitment that was made or a position that was taken. He understands that discussion is more comfortable if it is not on tape, however sometimes there are issues that need to be clarified and therefore he recommends that we continue the policy of taping all meetings.

Beverly Hills explained the policy of Dane County committees and stressed her personal feeling would be towards more open government.

Riddle expressed concern that the committee felt more comfortable not being on tape. But he also was concerned that in the past the ordinance committee and the building committee did not tape their meetings. Why is this policy being recommended now? Clerk said she was sure that meetings were taped in the past.

Braun said he would like to clarify two things: 1. The law does not require taping of meetings. Minutes only require the recording of any action that is taken, and 2. We are not dealing with zoning issues, we are dealing with compensation and the livelihood of employees, and 3. This town has never had a personnel committee so this issue has never had to be addressed before. He has been 5 years in the personnel field and Riddle has been involved with hiring and firing and you don't leave the door open in those kinds of situations. He really feels some issues need to be kept under wraps and that

does not mean he is trying to hide anything. But his professionalism says these issues should be kept confidential.

Sasso said in his 5 years of experience on the board we have tried taking notes and having recording secretaries and found that we are missing too much information. He pointed out the difference between public and private sector issues. He reminded everyone that they should be talking about a position rather than a person. There should be nothing to be uncomfortable about in discussing the job and leaving the personality out of it.

Braun said if the committee is required to tape meetings they will. However, if the committee resigns they will have to start all over.

Sasso made motion to tape all meetings of all committees except those that go into closed session as per the State Statute Requirements. Second by Berg. Braun cast a nay vote.

Redepenning asked if the committee wanted to go into closed session to evaluate him and negotiate his wages could he ask the meeting to be open and recorded. Answer is yes. The employee has that right under the laws.

Sasso said the issue of a fire station/town hall is not what we will be talking about tonight. That will be done at a later town meeting. Tonight we are going to discuss the fire department and how they provide fire protection and at what cost. We will look into the options and the cost of those options.

Berg initiated the discussion by expressing his concerns about the cost of the fire department. The cost of the proposed fire station and the town hall is what raised these questions in his mind. Why haven't the costs of fire protection been looked into in the past? Obviously the fire department isn't going to be dispensed with easily and it won't be done by the town board but rather by the citizens at a town meeting. He is concerned with state mandates that keep increasing the cost of maintaining a fire department, the loss of tax base through annexation.

The question was raised about the increase in insurance if we contract for service. Berg said he checked with American Family and if we contract with departments that have a lower ISO rating than we do, which is 6, the premium wouldn't change. Braun stated that he had talked to April Hills residents and the feeling with many of them is if McFarland is going to provide their services they may as well annex to McFarland. There is no benefit to them to stay in Blooming Grove if we can't or won't provide services. He stated that annexation can only occur with the residents permission. So that should not be a concern.

He read a letter from ISO following the annual audit. They found our fire department to be outstanding. Several businesses also sent letters indicating their support for maintaining our own fire department.

Dick Riddle again reiterated the concerns of Rambling Acres of the possibility of annexation and the impact Hovde Development is having on the town and the cost of maintaining the fire department. He wished to assure they are not dissatisfied with the level of service the fire department provides. They feel it is excellent.

Wendy Swallow discussed fire insurance ratings. She is not familiar with American Families rating services but she and her husband are both insurance agents and town residents and business owners and they can assure us the insurance premiums would change drastically. She is even more concerned with the level of service we would receive.

Al Lucchi talked about the options Hovde has taken on the 2 remaining farms by Rambling Acres and they are all contiguous. He asked if we provide fire protection to MMSD and shouldn't they be required to pay for those services?

Marlen Moody pointed out that MMSD has provided many services to the town over the years including permitting the fire department to train on their premises.

Lucchi said he wouldn't want us to abuse the system but we certainly could be looking into charging tax exempt properties for services provided and he would like the board to research this.

Barb Moody asked if the question is can we afford our own fire department? If so, we need to look at costs other municipalities are paying for contracted services. Berg had used the Town of Dunn as an example. Last year our fire department budget was roughly \$125,000. The Town of Dunn budgeted \$104,000 and they have no control. They must pay whatever the other fire services charge. If we are going to research this let's make sure we don't compare apples and oranges.

Don Foster said we appear to be running from the big bad wolf again and he has been hearing that for 15 years. Our fire department has been providing a good level of service and he doesn't see why we should look to changing it.

Dennis Malinowski said when he first moved into the town he was told the town residents had authorized the sale of town land to raise funds for a new town hall/fire station. He isn't eager to pay more taxes but he doesn't see why this project is taking so long to get started. The fact is if Rambling Acres goes into the City the taxes are going to be a lot more than they are now and he resents sitting here being

asked to micro-manage and play a political game to stall the building project.

Al Loomis said that our ISO rating would go to a 13, not a 10. He has been on the fire department for 19 years, his dad was on it for 32 years prior to that. During all of that time the question of annexation has been the reason we can't seem to proceed with planning. Back in the 50's we had plans for a new fire station. That did not develop because people were worried about annexation. Isn't it time to get on with it? He asked why Berg wants to get rid of the fire department without having done any research to see if it really would be better?

Harold Curley said that a major concern of his would be response time. How long would it take other departments to arrive to your home if it was burning? How much longer would it take if we contracted with a department that was a greater distance away.

Roxanne Stillman said she wants to retain our own department.

Larry Lawry identified himself as a town resident and a volunteer fire fighter. He is concerned with a contracted fire service would they serve their own municipality first and we would be secondary. He wants to make sure we research all the factors.

Steve Armstrong, a full time firefighter, said he had talked to Cottage Grove Fire Department since he is a resident of Cottage Grove. They have indicated they are not interested in providing any more fire protection. They have enough area to cover already. He feels that if the town researched this they would find much the same response elsewhere. Once you give up your own department and contract for service you are at their mercy. You have no control of costs. He feels the response time would double. He did not agree about other services putting their own municipalities first. That's not the nature of firefighters. You respond to the calls as you get them. His last point is this is his career. What are the advantages to the town to eliminate it? He wants that explained to him.

George Watson pointed out that many municipalities that previously contracted have now started their own fire department to gain control of their costs and their level of services provided.

Wendy Swallow said if they want to research this issue that is fine with her. But land was sold and money was raised to build a building. Why isn't that being done?

Al Lucchi informed the residents that estimates came in at over \$400,000. Sasso said he wanted to focus on the way to

provide fire services tonight and not talk about a building.

Steve Armstrong reminded us that if a real concern is with annexation we should keep in mind that if we abolish the fire department we would lose some of our town identity.

Chairman Sasso said there appear to be valid concerns on both sides of the issue. The consumption of land and the ability to provide service at a fair and equitable issue. No one can afford to pay more to live in a town. He would like to form a committee to research these issues and he would like some volunteers. We need to clarify the issues. Also the Dane County Towns Association is doing a study and we should be able to obtain information from them. We currently have a fine fire department providing us very good service and it doesn't appear to be costing us more at this time.

He agrees that annexation is a genuine concern. And even though the 3 board members don't see eye to eye on all issues their responsibility is to represent the best interests of the town and to spend their tax dollars wisely. If it becomes necessary to change the way we provide fire protection then that may happen. He doesn't feel there is a need to change it now but perhaps in a few years there will be. He is also talking to other fire departments about us contracting to provide service to them, so that is a possibility.

Sasso invited volunteers to work on a committee.

Clerk said she feels prior to forming a committee the whole town should be notified of this issue rather than just Rambling Acres who received the notice from Berg. This is an issue that affects the entire town, not just Rambling Acres.

Sasso said the newsletter will be coming out in the next week or two and he will notice this issue in the newsletter. He would hope a report could be brought to the annual meeting in the spring. He closed the discussion of the fire department for tonight. A committee will be formed.

Al Lucchi asked the town board to address the issue of charging MMSD for fire protection at their next meeting. Sasso said they would do so.

Redepinning asked the town board to buy a camera. He frequently has to use his own to take pictures of storm damage for legal issues or storm damage claims. Sasso said the fire department already has 2 and he could use those.

Sasso reported he had a meeting scheduled with City Planners but it was cancelled because the attorney did not attend.

Being no further business the meeting adjourned at 10:15 pm

on motion by Sasso, second by Braun.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

AUGUST 11, 1993

7:00 PM

PRESENT: Sasso, Braun

Vouchers were approved on motion by Sasso, second by Braun.

The resolutions for the \$30,000 borrowing for the Public Works truck and the \$80,000 for the Rustic Drive Special Assessment project were approved on motion by Braun, second by Sasso and a copy of each is attached. These were both previously approved, however the interest rate was lowered to 4% and the State gave us the option of taking advantage of this which meant we had to adopt the resolutions again.

Braun wishes to have it placed on the agenda for the August 24th meeting to adopt a Bloodborne Pathogen Policy and a confined space policy. He has a copy of the Village of Cottage Grove policy and he will bring it to the next meeting. Cottage Grove adopted OSHA's Confined Space policy as it stands. Sasso asked for the name of a contact person at DILHR. He would like it clarified that we are not exempt from this because of the small number of employees we have.

Braun reported the next personnel committee meeting will be September 1st. They hope to bring a report to the 1st town board meeting in September. Sasso wants to have the budget done by mid-October. He told the Fire Chief to proceed with the fire department budget and do everything but wages and benefits.

Redepenning reported to Sasso the Winnebagos want the dirt off their field. Sasso gave him permission to dump it in a marshy field in another part of the town.

The intersection of Sprecher Road and Hwy 88 is being reconstructed and the tree in the town right-of-way is being removed.

Sasso is still meeting with the City of Madison and will probably have a report to make at the 1st meeting in September.

Braun said there is going to be a Public Hearing at 7:30 on August 31st at Hope Lutheran Church regarding the Rodefald Landfill Expansion. The is being conducted by the Landfill Siting Committee. The County is not invited to this one. They hope to have it wrapped up by mid-October. They are currently down to 4 basic differences, one of which is either more well monitoring or more compensation.

Sasso reported he attended a meeting in McFarland about Ed Kamm's request to annex a portion of his land to the Village of McFarland. Kamm will be attending our next town board meeting.

Sasso has informed the Fire Chief that he would like to meet once a month to review things at the fire department

Hallmans contacted Sasso about the use of town land for the Christmas tree sales. He will be on the agenda for the next meeting.

There is a party interested in purchasing the town land the fire department is on. He will contact the clerk to be placed on the agenda for the next meeting.

Being no further business the meeting adjourned at 6:47 pm on motion by Sasso, second by Braun.

Respectfully submitted,

Barbara Moody
Clerk

BLOOMING GROVE TOWN BOARD

AUGUST 24, 1993

7:00 P.M.

PRESENT: Sasso, Berg, Braun, Brown, Moody, B. & S. VanDaalwyk, H. Ziegler, Redepinning, H. Curley, J. Ziegler, R. Castleberg, D. Danoker, O. Ames, E. Kamm, A. Voit, M. Suter, T. Buss and N. Paschke.

Minutes of July 13, 1993 were approved as read on motion by Sasso, second by Berg.

Minutes of July 27, 1993 were approved on motion by Berg, second by Braun after several questions by Berg.

Minutes of August 11, 1993 were approved as read on motion by Braun, second by Sasso.

Treasurer's Report was approved as presented on motion by Berg, second by Braun and a copy is attached.

John and Harold Ziegler were present to discuss their plan to do mineral extraction on 140 acres of land South of I-94 and West of Vilas Road on Seminary Springs Road. The City of Madison has 6 former landfill sites that need to be properly covered. They are Greentree, Mineral Point Road, Truax, Olin Avenue, Demetral Field and Sycamore. He provided the surface water management plan, a letter from the State Historical Society and the Reclamation plan. Access would be from Sprecher Road. He provided a plan which covered specific issues such as use, time table, process, trucking, blasting, A.N.R. Pipeline, hours of operation, use of Sprecher Road, erosion control, restoration, future use and royalty to the town. It is up to the contractor to obtain all permits and zoning changes. They require approval of Blooming Grove, Dane County and DNR.

He had previously discussed this possibility with Ampe. One of her major concern was the amount of trucks on Sprecher Road. Ziegler said the extraction would probably take 4-6 weeks each summer. The trucks would enter onto Sprecher and go north to Hwy T, which is 2/10ths of a mile. Ziegler would provide an agreement in writing to restore the road to its original condition if it was damaged.

Braun addressed several concerns. What is the proximity to the Rodefild Landfill? Ziegler said approximately 5 miles. He expressed concern with fertilizers seeping into the groundwater if the clay is removed. Also, there would be a large amount of dirt and dust, Ziegler said there would be a water wagon on site. Braun asked how much the land would sink? It is his understanding there was another clay mining operation in Blooming Grove and the land is now 15 - 18" lower than it was when they started.

Ed Kamm is the owner of the property where the previous clay

extraction was done and asked to correct the statement that the property has a lower elevation than before. It actually rose from its previous level. He also is able to use the land for agriculture purposes again. He further stated that the Ziegler operation has a good reputation for their mining operations.

Berg expressed his concern about Sprecher Road. Ziegler suggested that we have a written agreement regarding the maintenance and repair of Sprecher Road. Sasso felt it could be handled through a bond.

Ziegler will provide the name and address of the abutting property owners to the clerk who will then provide notice to them of the public hearings.

Redepenning asked about the service road. They will gravel it and grade it as needed.

Bill Hallman was present to ask the board for a decision about the use of the town land for Christmas Tree sales. Berg said the board was interested in restricting the use of town land for the sale of certain products. Since he feels Christmas tree sales is for the public good he would suggest we allow the Hallman's to rent the land for one more year since they have already ordered the trees.

Braun asked if we have already taken action to not allow the sale of any products on town land. Clerk said the board had officially taken this position.

Chief Ames was asked about any concerns he may have if the land was used. He said he did not.

There was some discussion about traffic. It was felt it could be controlled without any major problems.

Sasso expressed concerns about having a policy and then changing it because "we like your product". If we are going to have policies we must be consistent in their application.

Hallman asked for a decision. Sasso made motion to not permit the rental of the land for sales. Second by Braun.

Hallman then asked if we would consider allowing parking on the town land if he were able to rent land across the street in the City of Madison for his tree sales? He has not talked to the property owner to see if this could be worked out. Sasso made motion to approve the use of the land for parking. Second by Braun. Sasso amended his motion to restore the parking area if there is any damage. Hallman said he always does. It's all his gravel that is there now. Braun then made motion to allow his customers to park across from the garage on the town land. Second by Sasso. Margaret Suter

owns land on Femrite Drive that she needs to rezone. Her husband has a motorcycle shop and storage business on the land and she has the house, a kennel and a boarding stable. Due to the fact they are divorcing they need to be able to split it up. She needs 16.1 acres to keep her kennel business legal. This would be done on a certified survey map. Suter was asked to provide the names and addresses of the abutting property owners so the clerk can notice the neighbors prior to making a decision.

Bob Castleberg of the Stark Company was present to ask the board about the possibility of selling the remaining town land, all or part, for a restaurant site. The minimum that would be required for his restaurant would be 35,000 - 40,000 square feet. They would consider purchasing the entire parcel and leasing it back for our fire station, or buying a portion now and giving the buyer the option on the rest of the land for the future.

Castleberg asked if we intended to build a town hall on the land. They would be willing to plan around our intended use of the land. Sasso said we could not answer that question at this time. He also said we may have a problem subdividing the land as it would require City of Madison approval. The buyer would like to know what we have in mind for a price and also if we are intending to sell. Sasso thanked him for coming and said this certainly gives us something to think about. Braun asked if this requires a town meeting and the answer is yes.

Bob VanDaelwyk wanted to find out the boards feelings about applying for a rezone and/or Conditional Use Permit to enable him to put a small beauty shop in his home on Lake Farm Road. He was asked to provide the clerk a list of his neighbors so she can notice them prior to the Sept. 14th meeting.

Ed Kamm addressed the board regarding the land he owns at Sigglekow and Holscher Road. He is talking to the Village of McFarland about proposed uses of the land and has asked the Village to annex his land. The Village wanted it understood they have not asked to have this land annexed. If an annexation is to occur it will be at Kamm's request. There is a possibility the Village will purchase some of this land for a Public Works building.

Braun pointed out this enables the April Hills Subdivision to approach annexation to the Village at some time in the future since they would become contiguous with this annexation.

Mr. Kamm was thanked by the board for informing us of his intent.

Art Voit explained the City of Madison wants to buy a portion of their land which is adjacent to Regas Road. They need it

to complete the new access road to the corporate center. This City has threatened condemnation. Mr. Voit came to the clerk and asked if the City can condemn land that is not in their jurisdiction. The clerk contacted Atty. Mitby. His response was that he thought it would require approval of Blooming Grove, as per Wis. State Statute 32.02(1), unless there is another statute pertaining to highways/road that would supersede that. He isn't aware of any other statutes but would research it further if it becomes necessary. Mr. Voit is asking the board for their support in turning down the City. Braun asked if we plow Regas Road? Redepinning said that we do, even though 1/2 of it belongs to the City.

Sasso made motion to support Mr. Voit in not allowing the City to condemn his land for the purpose of a road. Second by Braun.

Ned Paschke and Tomm Buss approached the board about the culvert that goes under Southtowne Drive by Madison Metro Sewer District. It is full and there is considerable runoff. They are requesting some help from the town to resolve this problem. There were several possible solutions discussed. Redepinning felt we need to shoot some grades of the land before we have any idea of what could be done. He indicated one solution might be to extend the curb and gutter into the town portion of the road.

Sasso said we can look into this but since this improvement would only serve one property owner we probably would expect them to participate in the cost to a great extent. They said they would be willing to do whatever is necessary if that is the policy. Clerk said if curb & gutter is generally assessed to the property owner, if that is the solution.

It was agreed that Redepinning would contact Dane County Highway to view the site and make a recommendation. Perhaps they could talk to MMSD Engineers.

Sasso asked Paschke if MMSD contributes money to the City of Madison for fire protection? He said he was not aware of any payment but he would take it back to his personnel. Sasso explained that charging tax exempt properties for fire protection is an option we are discussing.

Clerk asked if the board was taking a position on researching this or are you only talking to MMSD or what is the objective? It was agreed we should probably talk to Mitby.

STREETS - Redepinning said our new truck would be available in the near future and wanted to know how we would dispose of the old one. Sasso indicated we should advertise for bids. We should check and see what the deadline is for the WTA newsletter. Berg questioned if we shouldn't determine our own value since all you seem to get is lowball offers when

you advertise for bids. Redepinning explained that it is a 1976 truck and does not have a great deal of value. He further explained that you add the phrase "reserve the right to accept any or all bids" which does not require you to sell it if you aren't satisfied with the offers. Redepinning asked how we are doing on the loans. Clerk said they have been filed with the Board of Commissioners of Trust Fund Lands and will wait for the Attorney General's approval. In the meantime, the Treasurer said we have enough funds to take delivery as long as it doesn't take too long.

FIRE DEPARTMENT - Chief Ames asked to have the following funds transferred within his own fire department budget. \$100.00 from Furniture and Equipment (52311231) and \$300.00 from Building Repair & Improvement (52311230). This is a total of \$400.00 to be allocated \$75.00 to Dues & Fees (52311320) and \$325.00 for On Board Equipment (52311314). Approved on motion by Sasso, second by Braun.

We discussed the dry hydrant at Lake Farm Park. Oregon Fire Department has now billed us \$750.00 for this. The DNR has paid the other \$750.00. The previous board approved this. However, when we signed the agreement we struck out the clause in the agreement which holds Dane County Parks harmless. The County Parks Department would not agree to that. So we don't know what the status of that is or how they could install it without an agreement being reached. Sasso explained the function of a dry hydrant. Chuck Wagner of the Oregon Fire Department sent a letter to our fire department saying it is our responsibility to maintain it. Sasso said he would like to make a motion rescinding the action of the previous board. Clerk said in the meantime we have a bill for installation for \$750.00 and she needs authority to pay or withhold payment. Sasso said he was pretty sure it had not been installed but if it has been then we will have to make the payment. Clerk asked about the liability to the town since we don't have any signed agreements and our firemen have already indicated they aren't interested in maintaining it.

Harold Curley asked why we need a dry hydrant when our trucks will siphon the water out of the lake. Sasso said Oregon doesn't have that capability so they wanted it installed.

Sasso asked Redepinning to see if it has been installed and if it has been he should contact the Oregon Fire Department. Redepinning indicated the Fire Chief should be in contact with Oregon since Redepinning isn't a fireman.

Braun then made motion to rescind the previous board action pending Redepinning checking out the property. Second by Sasso.

We discussed the letter from the City of Madison offering to

do our inspections for underground storage tank removal. Chief Ames indicated that we don't have the capability and training to handle it ourselves. Sasso then made a motion that we sign an agreement with the City for inspections and any costs incurred that the town is billed for would be passed on to the property owners. Second by Braun.

Clerk said the letter said they asked for time to come in and discuss it with us. Berg said according to the letter we can contract with DILHR as another option. Sasso then withdrew his motion.

Redepenning reported that we had applied for FEMA funds (Federal Emergency Management Assistance) for the storm damage. We probably won't know for several weeks what we will be granted. A great deal of it is for brush chipping and tree damage. Also for the sink hole on Savannah Road.

PERSONNEL COMMITTEE - Braun reported they will be meeting again on September 1st. Each committee member took a different job description and they will be meeting with the individuals to see if they need to be updated. On the 1st they will have a lengthy session to come up with wage recommendation which they will intend to bring to the board on September 28th.

Sasso said this is pretty late for the budget process. After the committee brings in their re-commendations the board then needs to meet with the employees to negotiate wages. Then we may have to meet several more times to bring the budget totals into a palatable figure.

Clerk suggested we meet to start on all the accounts that aren't affected by wages and that way the new board members would have some time to familiarize themselves with the various accounts and the process prior to actual budget meetings. It was agreed to meet on September 2nd at 7:30 pm. Clerk will provide copies of all revenue and expense accounts for the board several days prior to the meeting. If you have questions about any of the accounts as you go through them it would be good to ask ahead of the meeting time so the clerk can have the information you are asking for available.

Berg provided copies of the format they use for the budget process at Wisconsin Bankers Association. He feels their process is much easier to understand and perhaps we could consider doing it in this format. Clerk responded that our revenue and expense reports provide the same information in a different format. Sasso felt it was too late in the season to start changing the budget process and format but we could consider it for another year.

BUILDING COMMITTEE - Berg explained the details of the proposals that were brought in by Rugg & Knopp, Architects

and also American Structures. Both proposals are over the amount of funds available. There were several options available to either add to or deduct from these figures, such as air conditioning, hose tower, blacktop parking, landscaping, etc.

Clerk said Al Lucchi had been in and inquired about the inflated size of the building. We need to look into that further because it has increased from 6,000 sq. ft to almost 9,000 sq. ft. The committee spent a great deal of time discussing the floor plan but we missed the size increase. It needs to be downsized to meet budget constraints. Clerk apologized for missing these numbers but thought we were working with the original agreed upon needs.

Berg said it was assumed that the fire department and town hall administrative people on the committee had implemented the plan they wanted, rather than what was needed. Clerk said that was not correct. She assumed, incorrectly, that we were designing a building on the agreed upon dimensions. This is to be addressed at the next building committee meeting.

Braun received a copy of the Bloodborne Pathogen Policy and the Confined Space Policy. He will provide copies prior to the next meeting so we can review them.

Braun attended several area towns meetings and the Dane County Towns Association meeting. They say the Pledge of Allegiance at their meetings and he is requesting we do this at our meetings since we are sworn to uphold the Constitution of the United States. Sasso said he did not have any strong feelings one way or the other. Berg agreed. Braun said he is proud to be an American and feels this would be a good way to demonstrate this in the future. Approved on motion by Braun, second by Berg. Carried.

Braun raised the issue of the clerk opening the mail that it is addressed to him personally. He wanted to know if we have a policy in regard to that because he feels if it is addressed to him, or anyone else, it should only be opened by that person.

Sasso said it has been the policy that the clerk needs to open the mail because some correspondence requires immediate attention or notice to all the board members. Mail that come to the town hall is town business and suggested if there was personal mail it should be sent to board members home rather than the town hall. Clerk said she does not open any mail that is marked "Personal" or "Confidential". It was agreed the present policy would continue.

Sasso would like to schedule a closed meeting at 6:15 pm prior to the next board meeting for purposes of reporting on

the meetings with the City of Madison.

Sasso reminded everyone that the next couple of months will be very time consuming and to plan your schedule accordingly. We all chose to run for this office and the budget is probably one of the most important functions/responsibilities of the town board so plan on that time commitment.

Reservations for the WTA Convention are needed soon. Sasso made reservations for himself and spouse, Braun will attend, Berg will let the clerk know.

Braun will be attending the Wis. Urban Towns meeting on Sept. 10th. It is in Eau Claire. Clerk will make the reservations.

CLERK - We received a nice thank you note from the Dennis McDonald family in Rambling Acres for the "Children at Play" signs that were installed this summer.

Dane County Highway Department awarded us a grant for \$4,500 for a bike path on Sigglekow Road with several provisions. We will place this on the agenda for the next meeting so we can take action on the contract.

We received a letter from a private company regarding a road sign inventory. Dane County Highway also provides this service. We need to decide if we want to budget for this for next year.

Atty. Mitby provided a draft of a fireworks ordinance. It should be read over and then we can decide if we wish to pursue this further.

An underground excavation permit was granted to Wis. Bell for underground lines on Sprecher Road on motion by Sasso, second by Berg.

JoAnne Jones came to the town hall and talked to Brown. She said the Winnebagoes intend to pursue a bingo hall but she did not mention a time frame. They will contact the town board in the near future.

We adopted a resolution authorizing the town clerk to apply for the Wis. DNR Recycling Grant on motion by Sasso, second by Braun.

Clerk pointed out the town hall door was open in the morning again this week. That is the 5th time recently. We all have to make a more concerted effort to make sure it is locked.

Vouchers were approved on motion by Braun, second by Sasso.

Berg gave us an update on the flooding from the Richmond Hills subdivision. His concern is that the City make the

repairs in the proper and best manner. He also asked Don Mayo of the Mayo Corporation if Hovde could do the ditching and repair on Severson Drive. Mayo said Fox Construction could probably do the work. Sasso responded this is something that will probably be in the street budget for next year. Berg said he had in mind to do it this year.

Berg questioned the letter sent by Tony Haen who is a representative of MAGEAL, regarding the MG&E substation. Sasso explained they are looking for subdivision approval. He was told at a meeting with the previous board that he would gain approval if he would agree not to participate in an annexation to the City of Madison for 50 years. He said that was totally unacceptable and we have not heard from him for a long time.

Berg asked about the problem with Kelly McKinstry. The condo is resealing the driveway for the condo garages. It rained and there was a puddling of water that wasn't running off fast enough to satisfy the sealers so they took a shovel and dug a drainage ditch to run into her driveway. This caused debris and blacktop sediment to go down into her driveway. Sasso was there at 11:30 last night. She said she is suing the Condo Assoc. the town, the developer and everyone involved with the development.

Berg asked if the employees and elected officials shouldn't have business cards? Sasso agreed to check with Abe's Printing.

Berg reported on several wells in Rambling Acres that are testing with a high bacteria count. Clerk said Dane County Emergency Management and DNR are suggesting that everyone with their own wells should have them tested.

Sasso reminded everyone that a newsletter will be coming out prior to the budget meeting in November and perhaps we could write an article about the well testing for that.

Braun said the landfill negotiating committee is nearing a conclusion.

Berg said the April Hills people are still very concerned with Siggelkow Road and he moved that we send a letter to the City of Madison bringing pressure to bear that we expect that road to be fixed next year. Sasso said he will enlighten us on that situation at the closed session to discuss the annexation issues. Berg said we need to develop a strategy and inundate the city council members with the need to maintain their roads.

Sasso suggested we close the meeting with an emphasis that we all need to work together and let each other know what we are doing so that we can accomplish goals. We have a lot ahead

of us and if JoAnne Jones escalates the Winnebago Casino we could have a lot of problems. Motion by Sasso, second by Braun at 10:59 p.m.

Respectfully submitted,

Barbara K. Moody
Clerk

SPECIAL BLOOMING GROVE TOWN BOARD SEPTEMBER 2, 1993 7:41 PM

PRESENT: Sasso, Berg, Braun, Brown and Moody

This meeting is for the purpose of introduction to the budget process.

Before we began the budget discussion clerk explained she had been in contact with Adam Hogan of DNR and he will be sending literature to distribute to residents with well problems.

We reviewed all of the revenue and expense accounts. It was explained who is responsible for working on the budget for each account. Many of the accounts are established by another entity and all we do is plug in the numbers. These include accounts like shared revenue, state aids, garbage contract, recycling, health insurances, retirements, etc.

Redepenning provides the working budget for all public works, Ames works on the fire department, Brown does the property tax and treasurer budget, clerk and treasurer work on the town hall & data processing and clerk works on the clerk budget in addition to the election, assessment and board of review, audit, building, electrical and plumbing inspectors plus most of the revenue accounts. The Board is responsible for the town board budget in addition to working with the street outlay and park planning.

We need the wage recommendations in order for Redepenning and Ames to work on their budgets.

There was considerable discussion about many of the accounts.

Clerk explained the tax levy is the last number to be entered into the budget. This is after all revenues and expenses are planned and the levy is comprised of the difference.

The recycling is charged to the residents for the pickup portion. We apply for a recycling grant, however we don't know until after the budget process whether we will get these funds so we can't budget for this revenue. The board may choose to take some or all of the monies we received this year and apply it to the recycling charges for the residents.

It will all begin to fall into place once we begin the actual budget work process.

Being no further business the meeting adjourned at 9:35 pm on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara K. Moody, Clerk

PRESENT: Sasso, Berg, Braun, Brown, Moody, Redepenning, B. & D. Schnurbusch, B. Boyd, M. Kelsey, J. & H. Ziegler, G. Wills, K. Boyd, C. Easton, R. Castleberg, L. Rodhamel and 2 others.

Braun led the Pledge of Allegiance.

Minutes of August 24, 1993 were approved as read on motion by Berg, second by Sasso.

Treasurer's report was approved on motion by Berg, second by Sasso and a copy is attached.

George Wills presented a proposal to the Board to rezone his property on Siggleskow Road from A-1 Ex. to RH-3. This would allow him to divide the land. He realizes the Boyd property is landlocked but this proposal would not change that. He is willing to grant a permanent easement for access. He was asked to submit a list of adjacent property owners so a Public Hearing can be held at the September 28th meeting.

Ken Boyd expressed concern about this change because of prior problems with the road. He indicated Wills Road was originally intended to be a town road. This was never done so his property is landlocked. He wants this problem solved.

Public Hearing for John Ziegler was opened. He responded to a list of concerns expressed to him by Braun since the last meeting. He presented additional terms they are willing to agree to in addition to the original terms that were presented at our last meeting.

They offered to present the Town of Blooming Grove \$2,000 for plantings to provide more screening. Or they will plant the trees and shrubs themselves.

The wetlands are protected by DNR. They must stay 1,000 feet away and DNR issues the permits and enforces this.

To keep the dust to a minimum they would blacktop the access road 22' wide with a 45' turnaround at the end. They would not put in a new base, just grade it and blacktop it. The intent is not to create a town road to town specs, but simply to keep the dust down.

They agree to bond \$150,000 for maintenance of Sprecher Road.

There would be a royalty to the town.

Donald Schnurbusch asked about the length of time involved. It would be 2-5 years. He also asked if this would open it

up to the potential of becoming a landfill. Ziegler responded the family would agree to a deed restriction prohibiting that use in the future.

Mrs. Schnurbusch expressed concern about the site becoming unsightly like the current mining operation on Reiner Road. Mr. Ziegler assured us it would not.

Redepenning asked the Zieglers be required to install a 36" "Trucks Entering and Leaving Highway" sign 500 feet either side of the entrance. To be at their expense and maintained by them. Braun asked that a "Dead End" sign be placed at the entrance also.

Clerk read the comments from RPC regarding this zoning request which will also be reviewed by Dane County Zoning.

Braun expressed several concerns such as the dust on the interstate impeding traffic, the view from the interstate, the nature of the soil and the quality of the organic soil. He would require a comprehensive agreement be submitted for Attorney Mitby's approval prior to a vote being taken on the request. Ziegler said they are not permitted to extract from the wetland area plus they have to stay back 1,000 feet.

Braun said that Beverly Hills had contacted him to express her opposition to the project. Marge Kelsey wished to express her opposition to the proposal. She lives nearby.

Schnurbuschs said they were originally opposed but if all the issues are addressed they would not oppose it. But they do not want a dump in their back yard.

ANR Pipeline does not have opposition by they require them to stay back from the pipeline a minimum of 100 feet.

Braun indicated he would like to see the Zieglers offer some compensation for pain and suffering to the affected property owners. Ziegler responded they would not even consider it.

Sasso reported the clay mining operation we have had experience with was the Kamm property on Holscher Road. It was done by Terra Engineering. We did not encounter many problems with that project.

Bob Castleberg of the Stark Company presented an offer to purchase part of Lot 4 on Allis Avenue and the Stoughton Road frontage road. It was for \$147,000. The buyer is Hardee's Restaurant. Sasso pointed out the board has no authorization to sell town land without approval from a town meeting and we won't have one until April. He did not feel inclined to call a special town meeting for this issue. Furthermore, we need to resolve some other issues before we consider what to do with that property. We have to decide how to provide fire

protection in the future and whether we want to build or not. There is also a deed restriction on the All Car and Car Corp properties that they may not participate in any annexation attempts as long as there are municipal buildings on lot 4.

Castleberg pointed out that his buyer would also consider other options, such as buying the land and leasing a portion of the land back to the town or just leasing some of the land from the town.

STREETS - Redepenning reported we have had several complaints about the intersection of Holscher Road and Siggelkow. The property owners on the SW corner have a lot of trees and shrubs planted that hinder the view. They are behind the right-of-way. Ed Kamm submitted a letter granting approval to remove the fence line from his property on the SE corner. He would like to meet with Redepenning at the site to agree as to what can be done. He also wants a letter from the town saying he would not be held liable for any injuries or damage to the town employees while this work is being done.

Ms. Rodhamel agreed there is a problem but many of the drivers do not come to a complete stop.

Mark Lorenzi said they would like to keep their landscaping as it is. It was planted for privacy. They are willing to work with the town for safety reasons and have already moved some shrubs. Their wish is to resolve this to everybody's benefit with loss to them.

Sasso said he wishes to view the property before he decides how to approach it. He would encourage the other board members to do that also. Braun would like to be present when Redepenning and Kamm meet.

Dane County Highway has granted us \$4,500 for the bike path on Siggelkow Road, subject to doing both sides of the road and the City of Madison must do their portion also. It was agreed to accept the contract on motion by Braun, second by Berg.

Peter Phillips requested curb cuts on Fair Oaks Avenue to provide wheelchair access. It was agreed one side of the street should be accessible and Sasso suggested we include it in our 1994 street budget. There would be 6 curb cuts.

Wade Cattel had contacted Sasso regarding the use of Sprecher Road. He has the contract for the roads, curb & gutter in Richmond Hills. Because of the rain he was not able to use the temporary road. He is requesting the use of Sprecher Road for a maximum of 4 days. Sasso granted him permission for the 1st 2 days since it was between board meetings. He agrees to maintain the road if there would be any damage and has sent a letter to that effect. The last 2 days were

approved on motion by Braun, second by Berg. Redepinning said the Juneau County Highway Auction is being held this Saturday. Are we interested in taking the truck up there to see what we could get? After discussion it was agreed not to do this. Sasso indicated he felt we should advertise for bids.

PERSONNEL COMMITTEE - The meeting that was scheduled for the 8th was rescheduled for the 16th. They have accumulated a great deal of information which they need to review. Sasso said we need a recommendation regarding salaries by the town board meeting on September 28th.

Rodefild Landfill Committee - Braun reported they have reached an agreement with the County. They will then meet with the residents of Cottage Grove and Blooming Grove to review it point by point.

Berg asked what has happened regarding the Madison Metro Sewer District request for ditch repair. Redepinning met with MMSD and Dane County Highway Dept. engineers. The estimate was for \$10,040. MMSD budgeted \$10,000 for 1994.

Berg asked about the status of the dry hydrant at Lake Farm Park. Redepinning reported it is installed. Sasso said we are then obligated to pay the bill. Sasso will talk to the Fire Chief about the maintenance. It needs to be backflushed in the spring and the fall.

Berg inquired about the Sprecher Road/BB intersection. What is the obligation to the town. Redepinning said the work should be completed soon. The maximum cost to the town is \$15,000 even though the project is over budget.

BUILDING COMMITTEE - Berg reported the committee met on September 7th. We reviewed the current design and compared it with previous plans. It has grown a great deal in size and we need to address that issue. Perhaps we could utilize the existing fire department garage to keep the cost down. The committee has invited Attorney Mitby to the next meeting on the 21st to discuss what statutory requirements we need to meet. Can we choose/contract with a design builder who would meet the bidding requirements by bidding out the components? We need to research our options. Sasso suggested we work towards a presentation to the townspeople to resolve this issue. Clerk asked if it could be addressed at the budget meeting in November? Sasso thought it might be a good idea.

Personnel issues and open records were discussed at length. Sasso asked what information must be distributed at the request of a citizen. He had a notice put up at the fire station regarding personnel information requests stating a request must be in writing 5 days in advance to obtain

personnel information. This was done due to a specific personnel issue. Apparently one of the firemen was providing information from the personnel files. We discussed the open records law and the personnel policy. We have never officially appointed anyone as custodian of records. Clerk was asked if we still had the information we had received from the Town of Madison about their Public Record Ordinance. We still have it and she will provide it prior to the next meeting. We will also talk to Attorney Mitby about this issue and perhaps get a ruling from the Attorney Generals office for our records.

Redepenning said he feels very strongly there is a difference between open records information and issues regarding your private life that the public shouldn't have access to. He would like this researched and clarified. He would then like us to adopt a policy regarding this matter.

Sasso wants us to pursue this in order to provide the orderly dissemination of information and have a record of who gets what information.

Berg asked for clarification of the legal custodian. If the Clerk is the custodian of specific records and is absent for an extended time period does that mean information can be withheld for an extended period? How is this handled in the custodians absence? We will look into it.

There was considerable discussion of the clerks hours. At the annual meeting the clerks salary was established for a 40 hour average work week. The personnel committee was under the impression the clerk was to be in the town hall 40 hours a week. Clerk pointed out that she keeps track of her hours and has averaged 41.5 hours so far this year. Sasso expressed discontent with the way the town hall is being run. Clerk asked what is different than in the past 7 years? He feels it is a problem. Clerk and treasurer responded they work very well together to see that the town hall is covered at all times. If there are questions about the requirements of the town hall and/or the clerk or treasurer it was agreed this should be addressed in the town hall rather than to other employees. Let's try to solve potential problems by addressing the issue with the person involved.

We discussed the need to separate the clerk and secretarial duties. We discussed this in the past but never pursued it. We will address this through the personnel committee.

Vouchers were approved on motion by Berg, second by Sasso.

Wayne Wolf and a City of Madison Fire Inspector will attend our September 28th meeting to discuss their offer to do fire inspections for Underground Storage Tank removal.

Harvey Reider of Wis. Dept of Transportation has asked to use our town hall on Sept. 29th at 7:00 p.m. for an informational meeting with the property owners on Milwaukee Street who will be impacted by the Hwy. 51 interchange. This will be a DOT meeting and they will notify the property owners.

April Hills residents have asked to be notified in the newsletter if the bike path is approved in the City of Madison budget and if Madison agrees to repair Siggelkow Road.

Berg asked the town send a letter to the City of Madison reaffirming our interest in repairing that road.

Ronald Persike of Hwy T has been in contact with Dennis Norton of Dane County Highway regarding the impact on their property of the improvement of Hwy T. He has some concerns and is talking to the county about them but he wanted the town to be aware of it.

We received communication from DNR addressing the concerns of the residents of Rambling Acres about their wells. This information is available to any residents who request it.

We received information from Dane County Environmental Health about 2 septic systems on Lee South Court that are failing.

Clean Sweep will run until November 15th. Clerk will post.

Redepenning talked about correspondence from Dane County Highway Dept. about the use the requirement to use low sulphur diesel fuel. Any place we purchase fuel will be in compliance with federal regulations.

Sasso will be attending the Dane County Towns Assoc. meeting in Sun Prairie.

Redepenning reported our new truck is at a standstill. The mechanic who is working on it had emergency surgery and he will be back to work soon on it.

In reviewing his budget numbers he realized that we have never been billed by Kleen Sweep for the April sweeping. Redepenning will contact them about it.

Being no further business the meeting adjourned at 10:22 p.m. on motion by Sasso, second by Berg.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD SEPTEMBER 28, 1993 6:15 PM

PRESENT: Sasso, Berg, Moody and Attorney Nording

On motion by Sasso, second by Berg the meeting adjourned to closed session under Chapter 19.85(1)(g) of Wis. State Statutes: "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved."

Roll Call vote to go into closed session - Sasso-aye; Berg-aye; Braun - absent. (Braun arrived later)

The regular meeting convened in open session at 7:02 pm.

Present for this meeting were Sasso, Berg, Braun, Brown, Moody, Redepenning, Cheryl Peterson of Madison Fire Department, N. Turcotte, M. Suter, H. Curley, S. Glass, H. & J. Ziegler, L. Lawry, O. Ames, J. Thompson and L. Mason.

Pledge of Allegiance was led by M. Braun.

Minutes of September 2, 1993 were approved on motion by Berg, second by Sasso. Minutes of September 14, 1993 were approved on motion by Berg, second by Braun.

Jeff Henderson addressed the board as a spokesman for Margaret Suter. She is requesting board approval to divide the kennel from the motorcycle shop. This would not require a zoning change at this time. All the board members indicated they would have no reason to oppose this and she should proceed to have it surveyed and recorded. This City of Madison may exercise their right to comment since it is within 3 miles of their boundaries.

George Wills withdrew his rezone request because he has received an offer to purchase.

John Ziegler talked to the board about his zoning approval to permit the clay mining operation at Hwy T and Sprecher Road. Braun addressed the concerns of the service road, providing a sweeper and tanker, providing a flagman during peak traffic periods and discussed the months of operation. These either are or will be included in an agreement that has been provided to Attorney Mitby which the board will have to act on. Ziegler indicated Dane County Zoning is hearing their zoning request tonight and he had hoped to have something to take to them from the town. Berg made motion to approve the zoning change subject to the contract negotiations on the matter. Second by Braun. Clerk typed a letter for Zieglers to take to the County.

Braun made motion to take the agenda out of order since some

of the parties have not arrived. Second by Sasso.

Fire Department - Cheryl Peterson presented a case for City of Madison Fire Department contracting for Underground Storage Tank removal inspections. This would be at no cost to the town and the contract would be between DILHR and the Madison Fire Department, not with the Town of Blooming Grove. We would only need to send a letter to Madison stating that we are interested in having Madison provide this service. They then take this to DILHR for a contract. Riddle asked why we are taking on this responsibility. It is a State Mandate for us to do this. We could contract privately also. Peterson provided copies of the forms and reports they use. The board will review them prior to the next meeting and make a decision at that time.

Chief Ames provided copies of the performance evaluation he had done for Assistant Chief Thompson. This was done on his 1st 6 months as Assistant and was for the purpose of obtaining the \$25.00 increase that had been indicated at the time of his hire. This was budgeted for in the 1993 budget. Berg said he had talked to the Chair of Cross Plains and based on how they compensate he didn't feel we should grant a salary increase. After considerable discussion a \$25.00 per month increase retroactive to July 1 was granted on motion by Braun, second by Sasso. Berg abstained.

Chief Ames asked for the authority to issue citations when property owners do not comply with fire inspection orders. We have a couple of property owners who do not comply and we have no means to enforce this at the present time. Sasso explained we have an agreement with Maple Bluff to participate in their municipal court, however we have not used the courts yet. Sasso said he wouldn't have a problem doing this subject to the fire inspectors coming to the town board for approval prior to issuing the citation. He wanted the board to know this first so he can field complaints. He asked what the fine would be. Clerk said fines are established by ordinance. Riddle said it sounds like Sasso is questioning the credibility of the fire department. If they are qualified to do inspections why do they need to come to the board for permission to issue citations? Sasso said he wants to be aware before the citations are issued. He is sure we adopted the State Fire Code and the fines would be listed in that. Berg asked if we have citations we could use. We would have to obtain them. We will look into this some more.

Ames asked to make a budget amendment to cover the cost of repair to the fire rescue tool (Jaws of Life) as follow: \$800 from fire gear and \$200 from building repair and transfer to the On Board equipment account. Clerk asked where she was supposed to take the funds from for the dry hydrant. She took it from Fire Prevention until she receives further instructions. Ames said he was under the impression it would

not come from the fire department budget and he would like that looked into.

Personnel Committee - Lance Mason explained a little about how the committee reached their findings in regard to the Public Works and Fire Department employees.

Steve Glass covered the Public Works and said that Belleville had supplied a great deal of information from several municipalities they surveyed. He explained they were not going to make any recommendations on benefits. They felt the benefits could be left as they are until we learn what changes in health insurance may occur due to federal and state proposed legislation. Their recommendations are as follows:

Public Works	-	2% - 4% increase
Public Works (Part time)	-	\$7.25 (from \$6.75)

Treasurer pointed out snow plow drivers currently receive \$8.00 per hour. There was no recommendation on that since the committee was not aware of this.

Lance Mason presented the fire department recommendations. He explained it was difficult to obtain comparable because not many fire departments in the area have full time personnel. Stoughton was the most comparable.

Their recommendations include the assumption the Chief & Assistant Chief each work approximately 20 hours per week:

Fire Chief	-	5% from \$4,200 to 4,400
Assistant Chief	-	50% from \$1,200 to 1,800
Firefighters	-	4% for all 3 plus an additional 3% for the 2 lower paid personnel.

2 Salaries would go from 19,900 to 21,500 and 1 would go from 22,600 to 23,500.

The board will now take these recommendations and discuss it among themselves and negotiate with the employees.

Sasso told the committee good job and asked what they will do now. Braun said they would continue to work on the job descriptions and have the elected official recommendations ready for the spring.

STREET DEPARTMENT - We again discussed the intersection of Holscher and Siggelkow Road. The property owners have removed some of the brush but visibility is still partially obstructed. The Village of McFarland will be taking some of that road in the near future.

Braun said he had complaints on the amount of time Dane County Highway is taking to do Rustic Drive. Redepenning said their staff is spread pretty thin right now and they will be working on it soon.

Redepenning reported the ad for the truck was in the paper both as a legal notice and under trucks for sale. He has already had 5 inquiries. They have put it on the frontage road corner with a For Sale sign also.

We had requests for 35 Mph speed limit signs on Libby Road. Elvira from the County Compost site has made the request. The City is being asked to post their side also. It was agreed to post the signs on motion by Berg, second by Braun.

Building Committee - Berg reported the committee had met with Attorney Mitby. Mitby indicated the town could meet with American Structures to continue planning. If the town goes ahead with a building and works with this company the bidding requirements will be met by the contractor letting bids for the components. He said bids would have to be submitted thru the town to meet this requirement. We then contacted Jim Daggett during the meeting and told him the town had approximately \$240,00 and could we build within that budget. He will work on it and bring something back to the committee when they meet again on October 19th. We hope to have a proposal ready to take to the people by the budget meeting in November.

PARKS - Redepenning asked what is going to be done with the shelter in Thurber Park? We keep repairing it and the kids keep vandalizing it. He feels it is dangerous now because most of the rafters are missing. He is getting bids on repairing it. Most of those present indicated a preference for trying to maintain it. It adds a lot to the park and the neighborhood. We will review it when we get some bids.

CEMETERY - Redepenning gave the board members copies of a proposed cemetery policy and asked that we consider adopting it at the next meeting.

MISCELLANEOUS BUSINESS - The date for the budget meeting to negotiate wages with the employees is set for Wed. October 6, 1993. The board will meet with public works at 7:00 and the firefighters at 8:00. The board will then go into closed session to discuss how they want to deal with the requests.

Redepenning reminded Berg they have to get together to discuss the budget for the parks.

It was agreed to change the date for the next town board meeting to Thursday October 14th due to the fact the WTA convention is set for our regular meeting date. We discussed the purchase of business cards. We will order

3 types. One for Redepinning, one for the board members and one for the clerk. Sasso will order them next week.

Clerk distributed copies of the Town of Madison records ordinance indicating who is the custodian of such records. We will discuss this further at a future meeting.

We reviewed the form used by the town of Cottage Grove for zoning changes. We all felt we would like to incorporate this for our use. We discussed the fee to be charged and agreed it should be set at \$25.00. Approved on motion by Sasso, second by Berg.

Virchow Krause is sponsoring a school for municipal management issues. Cost is \$65.00. Braun indicated he would like to attend to help him become a better legislator in the future. Approved on motion by Sasso, second by Berg.

Approved Ameritech request for underground cable on Rustic Drive on motion by Sasso, second by Berg.

The newsletter will go in the mail in time for the budget meeting. Try to get articles in soon.

CLERK - We received a letter that County Executive Rick Phelps is inviting the boards input into the county budget. If you have concerns contact his office.

Property owner on Kowel Court wants to join 2 parcels. We will have to address this at the next meeting.

The Laub Group is sponsoring a driver training session for fire personnel if we wish to send anyone.

McFarland School District is holding a special referendum election in October and we received notice we will be holding an October 26th election. Clerk contacted the school administrator to see if we could have a combined election rather than 6 municipalities holding their own. He will contact the State Elections Board and get back to her.

Vouchers were approved on motion by Sasso, second by Braun.

Sasso said DOT will be holding a meeting here on Sept. 29, 1993 regarding the Milwaukee Street intersection. Clerk will post it so more than one board member can attend.

Being no further business the meeting adjourned at 10:23 pm on motion by Sasso, second by Berg.

Respectfully submitted,

Barbara Moody
Clerk

BLOOMING GROVE TOWN BOARD

OCTOBER 14, 1993

7:00 PM

PRESENT: Sasso, Berg, Braun, Redepenning, Guerten, D. Dickens, J. Ziegler, D. Koch, A. Loomis, E. Kamm and O. Ames.

Meeting opened with the Pledge of Allegiance.

Minutes of September 28, 1993 were approved as amended on motion by Berg, second by Sasso.

Treasurer's report was approved on motion by Berg, second by Sasso and a copy is attached.

David Koch and Dell Dickens were present from Tally-Ho Stables on Sprecher Road. There is a natural water way going through his property. After the heavy rains the retaining wall broke in the Richmond Hills development and all of the debris washed down on his property. There were cans, boards and glass along with all of the silt and dirt that went over the swale that Dickens put in 2 years ago. Now there is standing water. If this freezes there is a great deal of liability to the horses and some of them cost in the range of \$50,000 to \$100,000. He wants to know who is responsible for maintaining the natural waterway? Koch said when the City of Madison put in their water system in Richmond Hills the water was contaminated so they have been flushing and now more water is standing on his property.

Sasso responded the property that caused these problems is in the City of Madison. They have been cooperating and trying to solve some of these problems. In the meantime Sasso suggests that the property owner correct the problem if it endangers expensive horses and then try to collect reimbursement. If seems rather foolish to let existing potential problems sit while everyone talks about who is responsible.

Dickens said he had talked to Jim Hovde and he admitted some error and is willing to work with the town.

Sasso explained we can't go onto private property to fix water problems. He will call Attorney Mitby and the City Engineer and Koch should contact Sasso for a report.

Dickens said there are 2-40" culverts going across Sprecher Road. Maybe a screen should be put across them.

Sasso said the town will probably not pay for cleaning the swales so the owners should proceed to do that to protect the valuable horses.

John Ziegler reported they have amended the language of the bonding agreement for Mitby to approve. Braun will meet with Mitby. Ziegler indicated it would save time if they went

together because they need it for the County by Thursday, October 28th.

Sasso reported on the discussion that held by the board regarding wages and benefits:

Public Works

Redepenning was increased to \$11.50 per hour and also given a 2 hour minimum if he is called out for an emergency between 5:00 p.m. Friday and 5:00 a.m. Monday. If there is a Monday holiday this would extend to 5:00 a.m. Tuesday. This does not include snowplowing.

Guerten was moved to \$7.50 per hour with the same 2 hour minimum.

Fire Department

Loomis and Armstrong were granted raises of \$900.00/year and Taylor was given \$750.00.

Part time fire department help went to 6.50/hour.

Chief was not granted a raise.

Assistant Chief went to \$1,800.00/year

Mechanic was raised \$1.00/hour to \$22.00.

Redepenning clarified the snow plow drivers still will get \$8.00 per hour as before. The other part time public works help stays at their previous rate of \$6.40.

These raises were granted on motion by Sasso, second by Berg.

Redepenning indicated his displeasure with the boards idea of negotiations. He read the definition of the word and asked why the board couldn't sit down and talk to the employees as had been done in the past rather than going into closed session. There were no negotiations.

A budget meeting was scheduled for Public Works on October 21st and the Fire Department on October 28th.

Redepenning asked the boards opinion on the need for snow fence. Should it be put up all over or only in a few select spots. Takes 2 or 3 men 8-10 days to put it up and 4 days to remove it in the Spring. He would still like it at the cemetery and Milwaukee Street across the interstate. Ed Kamm said it was not put up on Holscher Road last year and didn't seem to make a difference. Sasso suggested the board defer to Redepennings judgement to put it where it is needed.

Braun said the Service Road off Sprecher Road should have a "No Dumping" sign. There is a lot of debris back there.

Redepenning asked if he could rent a dumpster for when the street sweepers do the street. He got quotes from BFI, Waste Management and Pellitteri for a roll off dumpster ranging from \$125 - 145. Sasso said to go ahead whichever way is most effective and to charge it to the recycling account.

The City of Madison has put up "No Parking" signs on the Blooming Grove side of Regas Road. Redepenning to call them to remove them and follow up with a letter.

Berg said while we are talking about streets he is concerned about Hwy B8 after it crosses the interstate and comes into the City. It narrows and the shoulder drops off. Redepenning said it is a county road and he would talk to the county about it. Berg indicated he would too.

Redepenning reported that Rustic Road and Gallagher Plat are ready for paving. Payne and Dolan is shut down for 1 1/2 weeks until they can get more material but it will be done then.

Redepenning reported we applied to FEMA for \$24,073 and have received notice we will be awarded \$21,063 plus \$772 administrative costs. The board thanked him for his work.

We adopted the cemetery policy on motion by Sasso, second by Braun and a copy is attached. Berg indicated his opposition since he felt it should be more official sounding if it is a town policy. He was asked and was not willing to work on the language.

FIRE DEPARTMENT - Sasso moved to contract with the City of Madison for inspections of Underground Storage Tank removals. Second by Berg.

LANDFILL COMMITTEE - Braun reported that it has been finalized. It will be 31' higher than the existing site. Berg asked how compensation was determined. Braun said there were many factors including sight, smell and sound.

PARKS - Redepenning obtained estimates to repair the Thurber Park shelter. Joe Krueger would charge \$450 to replace 8-10 blocks and fill in the corner with concrete. It was suggested that he get other estimates as that seemed high.

Braun stated the Bloodborne Pathogen Policy should have been adopted by October 1st. He recommended we adopt the same policy as the Town of Cottage Grove. It will be put on the next agenda.

Sasso said the town hall should have rubber gloves and soap

and the personnel should watch a video tape. Only emergency personnel require the shots.

Berg felt if the town is providing the shots and is liable we should know who received the shots and who refused them. Ames indicated he didn't feel he should provide those names due to the fact this is confidential information. Sasso said he would check into this.

Jeff Thompson is to work on the Bloodborne Pathogen Policy.

Berg asked if all town vehicles should have the kits? Sasso said they are not needed.

Sasso made motion to approve the combining of lots 36 & 37 in Freeway Manor as requested, second by Braun. Berg abstained.

Sasso made motion to adopt a resolution proclaiming October as the 12th Annual Alcohol, Tobacco and Other Drug Awareness Month in the Town of Blooming Grove. Second by Berg. Sasso said it should be posted.

Discussion followed on Dane County Ordinance Amendments 15 & 16. Action was tabled.

Vouchers were approved on motion by Sasso, second by Berg.

Brown reported that the City of Madison has requested approval to put a street light at the intersection of Regas Road and Milwaukee Street. There will be no cost to the town. After some discussion Sasso said a letter should be sent to notify them of our approval.

We discussed VanDaalwyk's request to rezone his home for a beauty shop on Lake Farm Road. Jan Zimmerman contacted Brown and said the rezoning is exactly what Madison Landfills, Inc need for their proposed landfill. Zimmerman also wanted to know who owns the property since MLI paid VanDaalwyk \$30,000 for an option on the land until 1998. The official request for rezoning includes LC-1 & B-1. No action was taken since VanDaalwyck has not provided the necessary information and a public hearing has not been held.

Sasso had everyone check the business cards for accuracies. He will pick a design.

Brown reported she received correspondence from DOT regarding the Highway 51 & Milwaukee Street intersection. They have taken our citizens concerns under advisement and they will move the street so it is totally within the City of Madison. It will still have an affect on Country Kitchen but not as much as before.

Dane County Highway sent a letter about Marsh Road and Voges

Road. Since there was no action on the increased costs it will not be done this year.

MMSD sent a letter agreeing to the reconstruction of and payment for the curb and gutter. It will be included in the 1994 budget.

Brown asked who the after hours contact people are for Sanitary District #8. It would be Braun, Sasso, Berg and Redepinning in that order. Brown has to let Public Service Commission know right away.

We had a request for a shooting permit on the Fankhauser Farm. Sasso said we have a shooting permit ordinance. Sasso signed the permit. We have the right to withdraw permission at any time.

Redepinning reported the 2nd house east of Firststar Bank on Hwy BB has a problem. Sasso said that is a County violation.

There was some discussion of the status of the Indian Land. Sasso talked to the Governor's office and they will provide legal help.

Braun said he has a proclamation designating October 31st thru November 7th as Pornography Awareness Week. He would like this on the agenda for the October 26th meeting.

Being no further business the meeting adjourned at 9:13 p.m. on motion by Sasso, second by Braun.

Respectfully submitted,

Barbara Moody
Clerk - as recorded by Lynn Brown.

BLOOMING GROVE TOWN BOARD SPECIAL MEETING OCTOBER 21, 1993

PRESENT: Sasso, Berg, Braun, Redepenning, Moody

7:08 p.m. - This special meeting was called for the purpose of working on the public works budget.

Redepenning provided copies of his proposed budget.

Recycling - We reviewed the numbers for recycling which totaled \$48,667. Redepenning and Moody had determined most of these numbers at the time we applied for the recycling grant on September 1. The only change from that time is the increase in wages due to the hourly increase for 1994.

Redepenning explained how his total wage package is broken down into all the different departments for budgeting and accounting purposes. It is done the same way for the part time help also. The total proposed for recycling is \$48,667.

Machinery & equipment - budget decreased to \$12,855. A requested post hole digger was deleted.

Garages - Total proposed for the garages was 6,949. The utilities were lowered to \$2,700 and Redepenning is to work on covering the windows.

Streets - Proposal is \$9,629. This is up from \$8,669.

Street Outlay - We discussed at length the needs for next year. Redepenning recommends doing slurry seal on the roads in the subdivisions and borrow the necessary money to do it all at once. Redepenning will look into getting estimates. We will have to decide on the length of time to amortize it. We budgeted \$60,000. We can also apply to Dane County next spring for culvert aid for the culvert on Sprecher Road.

Snow & Ice Control - Budgeted at 17,855. This is an estimate since we have no way to predict the number of snowfalls. He increased the sand and salt by \$400 since we used so much in the 1st quarter.

Street signs - The total proposed is \$3,258. We discussed the sign inventory that Dane County Highway suggested for towns. If we participate we must then budget to replace all the signs that are inadequate. It was agreed we probably do not have the money to do this in 1994 since we are increasing the street budget quite a bit.

Parks - Budget was set at \$8,286. This included 1 weed spraying in Thurber Park and April Hills and 2 in Rambling Acres Park.

Park Outlay - Thurber Park will get 2 additional tables plus

replacement planks for the existing tables. Rambling Acres will get a 1/2 court basketball court and a softball backstop. April Hills will get a volleyball court. The budget amount is \$6,175. It was agreed we cannot afford to install a tennis court and maintain it in Rambling Acres. We discussed the shelter at length. It cannot remain the state of disrepair that is presently is. It will be very costly to repair it and it is continuously vandalized, but it is used a great deal. It was agreed we should bring it up at the budget meeting and let the people decide what should be done with it.

Cemetery - Budget was set at 7,635, which included 5,600 for mowing and plowing. The cost of opening a grave is covered by charges collected.

Total Public Works Budget is \$159,213 plus 6,593 for weed control, 14,913 for parks and 15,235 for cemetery for a total of 195,954.

Clerk pointed out that we only have the fire department budget scheduled to work on. We need to schedule more time. Once we have it all put together we need to provide 15 days notice prior to the Town meeting and budget hearing. Tax bills usually go in the mail in early December so we are running out of time. It should be noticed in the newsletter also.

Being no further business the meeting adjourned at 10:22 on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara Moody, Clerk

BLOOMING GROVE TOWN BOARD OCTOBER 26, 1993 7:05 PM

PRESENT: Sasso, Berg, Braun, Brown, Moody, Redepenning, Turcotte.

Meeting opened with Pledge of Allegiance.

Minutes of October 14, 1993 were approved on motion by Berg, second by Braun. Braun asked the paragraph about the property east of Firststar Bank be clarified to indicate the problem appears to be people living in the basement. Building Inspector should check into it.

STREETS - Redepenning discussed the continued use of the town garage by Dan Thelan, the town mechanic. In the 4 or 5 years he has worked for us there has never been a problem. The verbal agreement when he started working for us was to only charge us \$20.00/hour and we would permit him to use the garage to work on other vehicles in inclement weather. Turcotte said we should have a letter on file stating he will hold the town harmless. Berg asked what the legal ramifications are. Braun said he obviously wouldn't be covered by our Workmen's Comp. Turcotte felt we should get a statement from him, plus a copy of his insurance. He should also cover any damage to town property that would occur as a result of his working there. Sasso said Clerk should check with Mitby and we should wait to formalize it.

The property owner at 432 Powers has requested permission to change his driveway to 30' wide. His previous permit was for 24'. Approved on motion by Sasso, second by Braun.

Redepenning reported the street work is nearing completion. Gallagher Plat is done, Rustic Drive will be shouldered this week and April Hills will be done soon.

FIRE DEPARTMENT - Ames reported they are not ready yet with the Bloodborne Pathogen Policy.

We discussed the request from the clerk for a list of businesses from the fire department inspectors. The Assessor needs this information for the Personal Property Tax Roll. The town hall has no way of tracking when businesses move in and out. The fire inspectors should be catching these when they do their semi-annual inspections. Ames said if the volunteer firemen are not employees of the town they shouldn't be asked to supply this information. He said the town should adopt an ordinance requiring an occupancy permit. Clerk asked how it would be enforced if we still didn't know what businesses had moved in or out. Sasso said this list was originally compiled by Pat Ampe and when it was turned over to the fire department they were told they would be expected to keep a current list for inspection services. Ames said he thought Salvo had this information on his home

computer and he would try to get it for us.

We also discussed the list of fire personnel who had received the Hepatitis B shots. Berg had earlier indicated if the town is liable the town should know who is protected. Ames said this is confidential information. Redepenning said he didn't understand the reluctance to provide it. If he had an accident he would want that information available immediately rather than waiting until the fire chief comes in. Clerk said Dane County Public Health had sent her a list when she called to see why we were billed for 60 shots. Apparently the County didn't feel it was confidential information. Ames said that is the same person who told him it is confidential. Sasso said the issue is the volunteers are not employees and that is why they don't feel the town is entitled to this information. Sasso said he will call Dane County Public Health to clarify this.

BUILDING COMMITTEE - Berg reported we have new drawings from American Structures. They are proposing a totally new building east of the existing one. The estimated costs are \$320,000. It is acceptable to the building committee except for a small area in the middle. Jeff Thompson was going to redraw a small portion to provide better privacy for the firemen. He will then get back to Jim Daggett to see if it can be done without changing the cost estimates. The building committee is recommending we take it to the residents at the annual town meeting. There isn't a lot more the committee can do. We could ask Jim Daggett to give a presentation to the residents and have the auditor prepare a statement on costs to the residents if we had to borrow \$60,000. It does not include air conditioning but that could be added for approximately \$5,000. Sasso made motion to take it to the people at the town meeting. Second by Braun.

Berg asked if we could move the public works trucks into the extra bays and perhaps sell the building across the street. Sasso said we will have to look into that possibility

RODEFELD LANDFILL COMMITTEE has finally reached an agreement. It will now go to the City Council for their approval. Then Cottage Grove, Blooming Grove and Dane County will vote on their approvals.

PERSONNEL COMMITTEE - Continuing to work on job descriptions for the public works and fire department employees.

DISASTER PLAN - Department of Emergency Management is holding a meeting on November 17th to discuss disaster planning. Braun will attend.

Braun said the Governor is having a conference in Stevens Point on Community Development on November 10th.

ORDINANCE - We reviewed the Public Records Ordinance from the Town of Madison. Clerk and Treasurer will go over the list again and make a recommendation at a future meeting and then we will send it to Mitby for drafting. We also wondered if there is a need to have two persons responsible.

MISCELLANEOUS - Dane County Ordinance #15 was disapproved on motion by Sasso, second by Braun due to the fact that it takes authority from the towns to do their own planning.

Dane County Ordinance #16 was disapproved as not restrictive enough on motion by Sasso, second by Berg. Braun expressed several concerns, one is the impact of pornography on society and he and Rev. Richard Pritchard did extensive studies on this and viewed some of the adult bookstores.

County Ordinance #21 was deferred to a later meeting.

We set November 4th to continue work on the budget. Clerk suggested we consider setting aside funds for a future re-evaluation of the town. Last year we dropped to 88% of value and we received notice from Department of Revenue that we are now at 81%. Within the next couple of years we are going to have to reassess to come into compliance. This will probably cost 15,000-20,000. We could set aside money each year to do this.

Braun made motion to join Governor Tommy Thompson in proclaiming October 31 thru November 7 as Pornography Awareness Week. Second by Sasso.

CLERK - Received a check from Wis. Towns Assoc. for \$12.50. Braun said that was a refund because he chose not to eat at the banquet at the Convention.

Oregon School District has asked for our estimate of growth in the town within their boundaries. Probably very little since we are within Madison 3 mile jurisdiction.

Vouchers were approved on motion by Berg, second by Braun. We deleted the bill for the shots until Sasso has time to talk with Ames and the County. Braun also changed his mileage since it was clarified that we take mileage from home to the meeting and don't add additional miles if we are out of town.

Sasso informed everyone the clay mining agreement has been signed. He thanked Braun for his work on it. Braun will contact Ziegler to ask for copies.

Berg questioned Sasso about the water problems at Tally Ho Stables. Sasso said he had followed up and talked to Bill Nelson at the City of Madison and with Attorney Mitby. Mitby advised us not to get involved because it is a civil matter. He also talked to Nelson and Koch and they will talk to each

other to try to solve this problem.

Sasso also talked to the Governor's office and they will provide us copies of court rulings and other information that could be helpful to us if the Winnebagoes wish to proceed with their casino.

Berg said he had contacted John Norwell at Dane County Highway about Hwy 88. Norwell indicated he would check into it but thought it became a City street on the west side of the Interstate.

Berg distributed a copy of the Wisconsin Taxpayers Alliance study on fire departments. He would like the board to study this. They will also do consulting on fire protection needs.

Being no further business the meeting adjourned at 9:34 p.m. on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara K. Moody, Clerk

BLOOMING GROVE TOWN BOARD

NOVEMBER ⁹~~11~~, 1993 7:03 PM

PRESENT: Sasso, Berg, Braun, Brown, Moody, Redepenning,
Ames, J. Thompson and Kamm.

Meeting opened with Pledge of Allegiance.

Minutes of October 21st and October 26th were both approved
as corrected on motion by Berg, second by Braun.

Treasurer's report for October was approved as presented on
motion by Sasso, second by Berg and a copy is attached.

STREETS - Redepenning expressed the need for the town to have
an Erosion Control Ordinance. He feels there is too much
runoff from construction sites that is causing problems with
the ditches and roads. Sasso asked if we could just ask
contractors to file an Erosion Control Plan when they apply
for a building permit? Clerk thought probably we might need
an ordinance for that. How would we enforce it? Clerk to
check with Mitby.

Redepenning reminded everyone the leaf pickup officially ends
on November 15th but he will continue a few days after that
to pick up everything that was out. Also the alternate side
parking begins on the 15th.

Berg expressed concern with the letter from Larry Nelson of
the City of Madison regarding the repair of Marsh Road.
Nelson states the Town is not interested in repairing the
road at this time so it won't be done. He would like that
clarified since we have had the money set aside for repair
for over 3 years. We never expressed an unwillingness to do
the work. Clerk was asked to send a letter and copy it to
all the persons he copied his letter to.

FIRE DEPARTMENT - Ames asked again if it was possible for the
fire inspectors to issue citations for fire code violations?
Sasso said he would have to talk to Maple Bluff courts to
find out more about our participation.

Ames said the fire department is down to 24 people. He will
be interviewing 7 people with the intention of adding 3 more.

Berg asked for detailed monthly reports from the fire
department. Ames provided a copy of the one they used to
provide the town hall and explained how to read it. They
will begin providing them monthly again.

BUILDING COMMITTEE - Berg reported Al Lucchi of Rambling
Acres had met with another contractor, John Furey, at the
fire station. This contractor indicated our current fire
station is too good to destroy and we wouldn't get anything
for it anyway. Berg and Lucchi and the contractor talked at

length about the option of remodeling the old fire station and they will present that option at the town meeting regarding the new building proposal in opposition to the recommendation of the building committee.

We discussed the possibility of using the old fire station for the public works truck. Redepinning said the doors are not big enough for the big trucks, however if he could have 2 bays of the new building for those trucks everything else would fit in the old fire station. This would then free up the old garage, which is across the street and in the City.

We discussed the possibility of selling the old garage. This could raise some of the additional money needed for the building project. We will take it to the residents at the town meeting.

Berg was asked to introduce the contractor and explain how the committee reached this recommendation. Berg expressed concern with having to do this since he is opposed to building but agreed to do the introduction.

Braun asked if the meeting would be at the fire station? Sasso said it should be at the town hall. Clerk said it would be too cold at the fire station and Brown said this would help indicate the need for a meeting room.

RODEFELD LANDFILL COMMITTEE - Braun reported the contract has been finalized and after it is approved by Madison City Council it will then have to be approved by Blooming Grove and Cottage Grove.

PERSONNEL COMMITTEE -They are finalizing the job descriptions and will have them ready to bring to the board at the November 23rd meeting. He said he will come in and enter the job descriptions into the town computer. Clerk expressed concern with that. Anyone accessing the computer could access all of the information, including budgets, minutes, and election records. These are all in the word processor and there would be a potential risk of accidentally altering or losing information. If he would like to put it on a disk we could then enter it for the records. He agreed to do that.

After the job descriptions are presented to the board they will be reviewed with the affected employees prior to adoption.

MISCELLANEOUS - Braun said a resident had asked about the possibility of a direct access from Allis Avenue to Highway 51 for the fire department. Sasso said this would be a hazard and Redepinning said the state would never allow it.

Dane County Ordinance #21 was disapproved on motion by Sasso, second by Braun. Berg did not vote. Ed Kamm expressed with

concern with the intent of the ordinance to control inland wetlands. Sasso he had a concern with control of wetlands that are not natural but are created by construction.

We continued work on the budget. Clerk met with the auditor to determine fund balances and other miscellaneous items. After some discussion it was agreed to add \$10,000 each to the public works truck and the fire truck designated fund balances from general fund balance for 1993. In the 1994 budget \$20,000 was added to the street outlay account for a total of \$80,000. Both of these were done on motions by Sasso, second by Braun. Clerk pointed out there will be no debt retirement for 1994 for Rustic Road or for the public works truck since we received the money so late in the year. The first payment will come due in 1995. So we do not levy for that this year. There was also an error on the cemetery expenditures so that will be increased to \$15,235.

Auditor suggested we might want to amend the 1993 budget to show the increased revenue in motel tax that was not budgeted for. This could then be used to cover the monies we spent for streets over our budgeted amount.

Berg expressed concern that the residents of Rambling Acres were horrified at their last tax bill and we should try to lower it. He asked for the mill rate for the last several years. Treasurer looked it up and provided it to the board members. He doesn't understand where the surplus went for this year. Clerk pointed out the board authorized expenditures for road of \$30,000 more than was budgeted so that accounted for some of it.

Sasso asked if Berg was objecting to setting aside money for future truck purchases. He said no, he feels we should do something.

Clerk also pointed out we will be required to do a total reassessment in the next couple of years and that will probably run \$20,000. Should we set aside some of that each year so we don't have a large levy when we do it.

Clerk will recalculate the changes. The proposed mill rate will stay under \$4.00. If it does not she will contact the board members, otherwise it was agreed she should go ahead and post it with the changes as agreed tonight.

Berg asked why agendas were not being sent to Beverly Hills since she is an important ally on the County Board. Clerk said she has only requested minutes in the past. Agendas are sent to everyone who requests them. Sasso indicated she is our representative on the County Board but she has not asked the towns position on issues affecting us and in many has instances has voted against our wishes. Berg said he feels we should send the agenda to all elected officials who are

impacted by Blooming Grove. Clerk will provide the board a list of all the people who currently receive the agenda and the board members will provide a list of who they would like them sent to.

CLERK - We received a call from residents on Sprecher Road concerning the trees on the west side of the road across from the stables. They do not want them cut down but would like them trimmed as they feel they are a traffic hazard. Redepinning will look into the cost of having them trimmed.

Clerk read a letter from the owners of 3495 Dell Drive thanking the town employees (Redepinning and Guerten) for the nice job they did picking up the brush from their yard.

We received a call from a man who was chased by a dog on Sprecher Road. He reported it to the Sheriff and was told to also contact the town. Clerk said the owner has received letters in the past regarding this matter and has neither contained the dog nor licensed it. We do have a leash law and so does the County and the County requires the license. Sasso asked who the owner was. It is Beverly Hills. Sasso asked Berg to talk to her about it and also asked that a letter be sent to Sheriff Raemisch about it since there has been no effort to comply.

We received a letter from Cottage Grove. They are asking us for an agreement that we will attempt to supply them backup water in the event of an emergency. We will put this on the agenda for the next meeting.

There will be a clerks meeting in Cambridge in December. She will try to attend if time permits.

CHAIR - Sasso asked if the board members had read the WTA newsletter about the Open Meeting law. There is a ruling from the Attorney General regarding what can be talked about without notice. The fact is very little and Sasso said he will make every effort to adhere to this policy. If items are brought up they will be deferred to the next meeting except in emergencies.

He had a call from the person who got a shooting permit for Fankhausers farm. He is now requesting permission to shoot his pistol. Clerk said we do not have a shooting ordinance. Sasso thought we had adopted one. He will check into the laws regarding firing a pistol.

Berg requested the town install culvert grates in Rambling Acres. There is concern from the residents about children being swept away in the event of flooding. Redepinning will get price quotes.

Berg said he wondered if the town was being adequately

compensated from TCI since Rambling Acres was provided cable TV a couple of years ago and clerk didn't remember if they has gotten permits for installation.

Berg asked how to be brought up to date on where the town is in relation to the mandatory recycling laws since he was appointed to be the supervisor in charge of recycling.. Sasso suggested he allot an hour or so to sit down with the clerk and review everything we have done to date to be in compliance. Clerk asked what changes are being required. He wasn't sure but may attend a meeting in December to obtain more information.

Berg asked Sasso if he had ordered the business cards. Sasso will do that right away. Clerk said they are on sale at Abe's right now.

Braun said the Red Cross is holding a Emergency Management seminar on November 17th and he may attend that since he is responsible for the Disaster Plan.

We received a card from the Dane County Towns Association. They will be voting on a constitutional amendment at the December meeting. We will put this on our next agenda to vote on our position.

Being no further business the meeting adjourned at 9:50 p.m. on motion by Sasso, second by Braun.

Respectfully submitted,

Barbara Moody
Clerk

BLOOMING GROVE TOWN BOARD NOVEMBER 23, 1993 7:00 PM

PRESENT: Sasso, Berg, Braun, Brown, Moody, S. Armstrong, H. Curley, R. Redepinning, M. Moody, Lance Mason, N. Turcotte, B. Hills

Meeting opened with the Pledge of Allegiance.

Minutes were of November 9, 1993 were approved on motion as corrected on motion by Braun, second by Sasso.

Braun made a motion to suspend the rules and take the agenda out of order since Beverly Hills was not yet present. Second by Sasso.

PERSONNEL COMMITTEE - Lance Mason presented the job descriptions as they were approved by the committee both for content and format. He asked the board to review them and make recommendations for additions or deletions pertaining to the job description since the committee may have not been aware of some aspects of the job.

Sasso asked that the employees also be given a copy of their descriptions. That would give the board time to review them and they would meet with the employees to review the descriptions at the December 14th meeting.

Sasso thanked the committee for all their hard work.

Beverly Hills reviewed the County Budget process and where it is at. They have scheduled a veto override meeting prior to completing the budget. She discussed the Adult Bookstore ordinance and said 20 towns had approved it.

Her reason for asking to be here was to express that she would like to work more closely with the town but needs more input from us.

We discussed several past issues where the town felt she had not been of assistance and several people indicated she makes not effort to contact to ask our position on a county issue. She indicated she will make an effort to improve on that and will call the town hall every week or so if that would help. Since she is difficult to reach it was agreed she would contact us. She also provided her work number and the County Board office number.

Sasso said he would rather have an ally than an enemy so he would like to put the past behind us and make an effort to communicate better.

STREETS - Redepinning checked on the culvert covers for Rambling Acres as requested by Berg. There are none available for galvanized culverts, only concrete. He said we

could probably drill holes in them and run pipe through but if we are going to do this for Rambling Acres shouldn't we be doing it for the whole town? Where is the liability if we do some and not others. Berg said he would defer to Redepennings judgement. Nothing will be done at this time.

Cottage Grove had sent a letter asking if we would provide a backup water supply in the event of an emergency. Braun made motion we would provide a backup from Sanitary District #8 to the best of our capabilities at any given time. Second by Berg. Redepennings asked if this shouldn't be Sanitary #8 meeting business, not town. Sasso said we would take action at that meeting also.

MISCELLANEOUS BUSINESS - The Town of Perry has asked the Dane County Towns Association to amend Article 4, Section E of the Constitution limiting meeting places to "Public Owned Facilities" rather than "Public Facilities". They have indicated their displeasure with noise and inconvenience. Sasso made motion to allow the Constitution to remain unchanged. Second by Berg.

We decided at this time not to reprint the recycling brochure until after the 1st of the year. Berg said at the WTA meeting there was discussion on mandates that will be coming. We should probably wait to reprint until we know we are in compliance. It was suggested that Berg contact John Reindl at Dane County Public Works. He has a copy of our ordinance and will know if we require any changes.

We then discussed communication with other elected officials. Berg feels we need to improve in this area. Braun said he had talked to Rudy Silbaugh from the State Assembly and he would like to receive them. Also the Town of Cottage Grove would like them and the Town of Burke. In addition it was agreed to also mail them to Carol McGuire, Village of Cottage Grove, Beverly Hills, Kelly McDowell, Town of Dunn, City of Monona, Senator Chuck Chvala and the Dane County Towns Assoc.

Approval was granted to MG&E for underground cable at 3810 Milwaukee Street for service to Regas Road on motion by Sasso, second by Berg.

Berg asked why we only have 3 legal posting places and the parks are courtesy postings. State Statute requires 3 legal postings. In addition the board previously felt it would provide more information to the residents so the parks were added. Primarily, in the event of emergency meeting we would meet our legal requirements by posting at the fire station, town hall and Barbershop. Berg still felt it would be better if all five places were required. Clerk said they are posted in all 5 places for every meeting. We only had an emergency meeting once and the Treasurer was able to post quickly regarding meeting with legal council when the annexation

notice was published and the board was all at a Towns Convention meeting.

FIRE DEPARTMENT - Ames said the fire department copier has completely stopped working and is beyond repair. He would like the town to purchase a new one. Sasso reminded him they received the old one from the town hall when a new one was purchased with the understanding it would not be replaced if it died. Armstrong said agreements could be changed and he felt since most of the copies were for town fire department business the town should replace it. Sasso said we will talk about it at the next meeting since it is not on the agenda.

CLERK - Asked for authorization to pay for the Hepatitis B shots. If we withhold payment after December 1st the company will be turning it in for collection. Sasso said to go ahead and pay it since we will be getting new firefighters anyway. Shots will then be available for 3 of them.

She reported that Mr. Voit had been into the town hall to ask for Town assistance. He received notice the City of Madison is going to condemn a piece of land for the road and it is in the town. Attorney Mitby had previously indicated he was not aware the City could condemn in the Town without the Town consent. Voit asked if Mitby could help him pursue this. Clerk contacted Mitby who felt he should not involve himself as Town Legal Council but recommended Mr. Voit contact Attorney Kate Furay of another firm and the town not involve itself since this will be a civil matter. Clerk faxed all the information to Attorney Furay and Voits will contact her.

Waste Management sent a letter to state they will recycle our phone books. Clerk is concerned over how to notify the residents since we just mailed the newsletter. Perhaps we could announce it at the budget hearing.

When we purchased our new voting equipment 3 years ago Business Records assured us it would never be obsolete. However, since we were the pioneers, along with Waunakee, our equipment is not obsolete but is not what the other municipalities have purchased. Since the new machines are coded and ballots printed in Minneapolis and ours are still handled in Chicago our cost for elections is very high. The City of Madison will be purchasing the new machines in 1994 and the County Clerk has obtained State Election Board permission to have all coding and printing done locally since we will now have a large volume in the County. The company has agreed to upgrade the 2 older machines for only the cost of shipping. This may run as high as \$500 but we will be obtaining a machine worth approximately \$8,000. We will put this on the agenda for our next meeting.

We discussed the business cards. It was agreed to order them with no design this time. Treasurer suggested we run a

contest for our residents to design a Blooming Grove logo for cards and stationary and the winner could be announced at the annual meeting. Everyone felt it was a good idea.

Berg asked if the clerk had contacted TCI about the billing showing the City of Madison as the Franchise authority. She will pursue this.

Berg said he contacted the Madison Foundation for funds for Thurber Park but that did not look to be a viable option. He felt perhaps they would be willing to help since it seems to be Darbo/Worthington residents that occupy it a great deal of the time.

Braun asked if the Town had considered hiring a constable since it appears to be a great deal more gang activity and vandalism than in the past. Clerk suggested one of the board members contact Attorney Mitby for his opinion since we may incur a great deal of liability if we have our own constable.

Berg said he had continued discussion with Bob Castleberg of the Stark Company about their interest in buying the land our fire station sits on for a Hardee's restaurant. They are still interested. Could we share the parcel with them? How much do we need for a proposed building and parking? We will have to check it out.

Berg had several questions about the budget. After considerable discussion Sasso suggested he meet with the clerk to try to get his questions answered.

Vouchers were approved on motion by Sasso, second by Berg.

We discussed the format for the Annual Budget hearing. We have adopt the highway budget, review the budget and adopt the town tax levy. We will then discuss the shelter in Thurber Park and follow that with discussion of the proposed town hall/fire station. Berg will report what the committee has done to date and introduce Jim Daggett of American Structures who will present the proposal. It was agreed we will use paper ballots for voting if we need to vote so we make sure only residents are permitted to vote.

Being no further business the meeting adjourned at 9:25 p.m. on motion by Sasso, second by Berg.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE PUBLIC HEARING FOR PROPOSED 1994 BUDGET
NOVEMBER 30, 1993 7:05 P.M.

PRESENT: Sasso, Berg, Braun, Brown, Moody, Atty. Mitby,
Auditor Tom Scheidegger and 87 others

Reviewed the proposed revenues and expenses. Discussed 1993 estimated actual and 1994 proposed. There were questions about the differential between the estimated motel tax and the actual. Sasso explained the difference was due to the annexation. We had to estimate low so we would have enough operating capital in case we didn't win the lawsuit.

Al Lucchi questioned why we appeared to pay out more for building inspections than we took in. Clerk said MMSD took out a very expensive building permit in November of 1992 so the revenue came was received in 1992 but the inspections were done in 1993.

The ambulance costs were questioned. Sasso explained the ambulance is provided on a contract basis for the southern part of the town from McFarland EMS and we are part of our own ambulance district, along with Burke and Maple Bluff for the northern part of the town.

Question was raised about the park budget. Where will it be allocated? What is proposed for Rambling Acres? There is a backstop and 1/2 basketball court proposed for approximately \$4,300. Question was asked what is proposed for parks and equipment in Richmond Hills? Will those residents be using our parks and equipment? Sasso explained it is a public park and can be used by anyone. You can't restrict it to the neighborhood residents.

Berg reviewed the entire budget again from his perspective and expressed concern that it was very difficult to understand and a very confusing document.

A resident asked if we could cut costs by having a recycling drop off site rather than curbside pickup. Sasso said there is a great deal of mess with a drop off site and it would have to be manned at specific times so people only put recyclables there and it would only be town residents. Clerk reported our curbside pickup only costs each resident \$2.15 per month and doubted it people could go to a drop off site 4 times a month for that.

The need for a surplus was questioned. Sasso said we need at least 9 months budget for operating capital because we don't receive the major portion of our state aids until November.

Questioned was asked why the town paid 30% of the cost to blacktop Rusite Drive and will we do that for all streets that need blacktopping. Sasso and Berg both responded it was

due to the fact the town felt some responsibility for it becoming a town road when it was substandard. It should have been blacktopped by the developer at the time it became a subdivision many years ago and that did not happen. This was a very specific instance and each problem will be addressed on its own merits. This is not setting a precedence.

Mitby addressed the concerns of annexation and the need to maintain a surplus because our future is uncertain. The City of Madison wants to, and probably eventually will, annex the entire town. This may be in 10 years or it may be 50 but we have to be prepared.

The auditor, Tom Scheidegger also reiterated the need to maintain a surplus for operations.

Bill Hall explained he was the former town chairman and he also wanted to state that he felt the proposed surplus was necessary and should not be reduced. You need to funds to operate and for any contingencies that may arise.

Sasso closed the public hearing on the budget at 8:10 p.m.

BLOOMING GROVE TOWN MEETING NOVEMBER 30, 1993 8:10 P.M.

PRESENT: All those present at the public hearing.

Motion was made by Orville Ames, second by Bill Fobes to adopt the proposed highway budget of \$80,000. Motion carried unanimously.

Motion was made by Henry Mueller, Bill Fobes second to adopt the proposed tax levy of \$338.836. Carried unanimously.

Sasso then opened discussion of the shelter in Thurber Park and indicated it is a sad state of disrepair and needs to either be removed, repaired or replaced. Redepinning got a bid to repair of \$7,720 (plus or minus 10%). It can be leveled for approximately \$1,800 and the estimate to replace was \$17,000.

Suggestion was made to tear it down. Jean Karls said it is used very often and should not be torn down. Sasso said it is vandalized frequently. Our insurance won't cover it because of our deductible and it is a little damage at a time.

Question as to who uses the park. Clerk reported it is used every day by families and was rented 12 times 1st year, 10 times by residents and 2 by non-residents. The residents were 2 from April Hills, 2 from Rambling Acres, 6 from

Gallagher Plat. Question as to what efforts are being made to stop the vandalism. It is hard to stop since it occurs late at night and the shelter is not visible to many of the houses.

Berg reported he had pursued several options. He contacted the City of Madison to see if they were interested in cost sharing since it is some of their residents who were probably involved in the vandalism. They were not. He contacted the Madison Community Foundation about a 50/50 cost share. That is a very slim possibility.

Wendy Swallow asked if we would consider doing the work ourselves and asking for volunteers. such as the Youth for Christ organization does this type of community service.

A resident of Rambling Acres suggested since so much work has been done in their park this past few years could they volunteer to have the money that was set aside from Severson Park improvements be used to improve the shelter. This would provide approximately 4,300 and they could wait a year for their improvements. Wendy Swallow asked if all or part could come from surplus?

Berg stated he felt this should be a board decision and not a decision to be made at a town meeting. He feels the board was elected to make these kind of tough decisions.

After considerable Tom Dumphy made the motion to take the \$4,300 from the Severson Park budget and allocated to the shelter repair or replacement. Second by Beverly Hills. Sasso suggested the motion be amended to carry to spring meeting. We then had a substitute motion by Henry Mueller. second by Earl Kielly to table this discussion and decision until the annual meeting and at that time to have accurate numbers available as to costs. Carried.

Berg then introduced the Building Committee and provided a chronological history of the proposed town hall/fire station going back to the original discussion in the late 80's when Parker Mahnke, Bill Hall and Pat Ampe were the board members.

Berg introduced Jim Daggett of American Structures General who is the contractor of choice of the building committee. Tom Stroeber questioned the legality of choosing our own contractor without going out for bids. Attorney Mitby explained the project must be bid. However, the contractor will do the bidding process, the bids will be awarded by the town board after review by the contractor to assure the bids meet specifications.

Daggett then proceeded to review the plans as they have been drawn after meeting with the building committee, town hall staff and fire department personnel and doing on-site review

of the property. He stressed that the building was designed to accomodate the current use and a small amount of growth and does allow some room for future expansion if needed. It shouldn't be built for the "church on Easter Sunday" concept. It is designed for anticipated daily use in order to keep the costs to a minimum. Everyone worked towards separating the "need" list from the "want" list.

Al Loomis asked if the building could be free-span rather than having beams. That would be an option.

Liz Johnson asked if it would meet the requirements of the Americans with Disabilities Act. Daggett responded that it must meet those requirements.

Dennis Malinowsky asked if the clerk, treasurer and fire department had been consulted and was this plan acceptable to them? Clerk and Assistant Fire Chief were both on the committee and they consulted with the treasurer and other firefighters.

Chief Ames stressed the need to proceed and be progressive. Fire protective is a service the town must provide and he hopes we will vote to proceed.

Assistant Chief Thompson pointed out several problems with the current building. It is not ADA accessible, it leaks, there are no air exchangers, the furnace is on the ceiling in the kitchen above the food preparation area. He hopes we will take all of this into account when we make a decision.

Berg passed out a handout which addressed his concerns. He indicated he is opposed to the project as proposed and feels we should address the options available to us for providing fire protection. Blooming Grove is in an aging and diminishing state and is the area where Madison will grow. His question is if we are diminishing why do we need our own fire department rather than contracting. He recommends putting the building project aside and hiring a consultant to research the future of Blooming Grove and the options for offering fire protection.

Braun then took the same piece of literature that Berg distributed and provided his own feelings on the same issues. He discussed Richmond Hills and the need for strong neighborhood associations. As long as there are residents you cannot be annexed if you oppose it. He also read several letters from Blooming Grove businesses expressing satisfaction and appreciation for our current fire protection and having no wish to change.

Clerk Moody then asked the residents to consider a couple of things. The Town of Dunn contracts for their fire protection. This year their budget for that service was

\$105,000. They contract with Oregon. Stoughton and McFarland. If any of those departments decide to increase their charges substantially Dunn is at their mercy. It is not a service you can contract for other than in your own proximity.

Treasurer reminded everyone we started these discussions several years ago because of the need for a meeting room and storage and those needs still remain.

Sasso pointed out the fire department is mostly volunteer and the fire department does a lot of good for the town other than put out fires. When we have had serious storms they immediately respond looking for damage, downed wires and other dangerous situations.

Bill Hall then made motion for the Town Board to proceed with this building. Second by Bill Forbes.

Al Lucchi reported he had done a lot of research into the possibility of remodeling the existing building and after looking into it this would be his recommendation.

Mike Meyers has been a resident of Blooming Grove most of his life and was a fire department member for 22 years. He is very opposed to contracting our service. He is a 911 dispatcher and knows that if you contract for service you get whoever is available and may not be a station close to you.

Tom Stroeber said again we are required to put it out for bid and accept the low bid. Jim Dadget responded it must be a qualified low bid. He explained that he has not cost the town any money up to this point. He is working for us not against us.

Wendy Swallow pointed out that Burke spends over \$100,000 for contracted service. If we go to contracted service our ISO rating will go from a 6 to a 9 or 10 and if that happens we will all pay a lot more for homeowners insurance.

In relation to the concerns about location Allan Porter asked what our response time is to a call. Chief Ames said it is approximately 5 minutes to Holiday Inn SE and 7 minutes to Madison Metro Sewer District in the other direction.

Sasso explained the sale of the land to All Car and Car Corp included deed restrictions that said the properties could not be annexed to the City of Madison as long as there are town buildings on lot 4, so we would not be doing ourselves any favors by relocating.

Someone asked if the purpose of this meeting was to discuss getting rid of the fire department or vote on a new building?

Mike Braun then called the question. A couple of people said it should be discussed more.

Jean Karls said we have already had 2 building committees and 2 annual meetings to discuss it. Why can't we just make a decision one way or another.

Sherri Eddington said every person in this room probably already knew when they walked in which way they were going to vote and all this discussion probably hasn't changed anyones mind so let's vote.

Sasso asked Clerk to restate the motion which is "For the Town Board to proceed with this building" which was made by Bill Hall and second by Bill Fobes.

Tom Stroeber indicated we should put a dollar amount on the motion and not give this town board a blank check.

Sasso said we have to vote on the motion as it stands.

Sasso appointed Bill Hall and Marlen Moody as ballot clerks to make sure that only town residents over 18 receive a ballot. He asked clerk to read the motion a third time and said that a "yes" vote means to proceed and a "No" vote means we should not build.

The ballots were collected by Hall and Moody. Sasso had the clerk read the motion again and said the motion carried on a vote of 41-17.

Motion to adjourn was made by Moody. second by Ames at 10:10 p.m.

Respectfully submitted.

Barbara Moody
Clerk

BLOOMING GROVE TOWN BOARD

DECEMBER 14, 1993

7:03 PM

PRESENT: Sasso, Berg, Braun, Brown, Moody, Redepenning, Guerten. G. & M. Wills, Atty. Sally Hestad, K. & B Boyd, K. M. Boyd, R. Stillman, E. Kamm, O. Ames, D. McConley, O. Gebhardt, T. Winans.

Meeting opened with Pledge of Allegiance.

Minutes of November 23, 1993 were approved as corrected on motion by Berg, second by Braun.

Sasso opened the Public Hearing for the Wills property rezone request. Atty. Sally Hestad presented colored drawings showing the requested changes. Lots 1 & 2 will become lot 1 and remain with AB zoning for the greenhouse and residence. Parcel 2 will become R-1 and Parcel 3 will become RH-3. The Boyd families (Jr. & Sr.) both indicated they favor this plan since it will finally clean up all the boundaries and provide access to all the parcels. The board voted to approve the requested zoning changes on motion by Braun, second by Berg. Carried unanimously.

Berg made motion to suspend the rules and skip to item 8 on the agenda. Second by Braun.

STREETS -Mike Guerten gave notice that he has taken a full time position with Madison Truck & Equipment. He thanked the board for the opportunity to work at Blooming Grove and especially thanked Redepenning for all he has taught him. He would like to continue working as needed on weekends for plowing snow.

Sasso and Braun thanked Guerten for the nice work he has done for the town.

Clerk contacted DETF and Wisconsin Retirement System. If he continues to work for us he will continue to get benefits. He would not be terminating, he would only be a part time worker who will be working less hours. Guerten checked and he will be eligible for health insurance after 30 days at his new employer so will be dropping ours.

Redepenning said he has a person very interested in being hired and he would assume this person would get the benefits also. Sasso and Berg both indicated they did not feel they should hire any more public works people for more than 600 hours per year. Sasso would like this placed on a future agenda to discuss hiring someone.

Dane County Ordinance Amendment #9 - Sasso asked for it to be placed on the agenda for the purpose of reminding everyone to review it so we can take action on it at a future meeting.

We adopted the following resolution on motion by Berg, second by Sasso:

THEREFORE BE IT RESOLVED the Town Board of the Town of Blooming Grove extend the time period from ten (10) days to thirty (30) days for disapproval of rezoning applications.

This 20 day extension shall remain in effect until the Town Board adopts a resolution rescinding the Twenty (20) day extension and files a certified copy with the County Clerk.

Motion was made by Berg, second by Braun to approve the Rodefild Landfill Agreement as previously approved by the City of Madison and the Town of Cottage Grove. Carried unanimously. Clerk will obtain Mitby's signature on the documents so the County can pick them up.

PERSONNEL COMMITTEE - Braun said the committee would resume meeting in January. Sasso said we should put the job descriptions on a future agenda since there has not been time to meet with the employees. Berg said he was not concerned with the contents of the job descriptions, only the format, IE: Firefighter is spelled with 2 words in one description and as 2 words in another.

Dion McConley and Otto Gebhardt were present to ask the board to vacate the north side of the East end of Furey Avenue. The City of Madison has agreed to vacate the South end. He said his reasons were for the purpose of creating a private driveway and fencing it in.

Terri McKinley expressed concerns about development getting closer to her house. She said it is very messy behind their business and she doesn't see any advantage to the town or to her to permit this.

Sasso said he knows Larry Nelson from the City of Madison and will talk to him about it. Perhaps the City would be willing to donate their vacated portion to the Town of Blooming Grove. He will ask for a written response.

CLERK - Motion was made Berg, second by Sasso to approve shipping charges of approximately \$300 - \$500 for the updated voting machine. Clerk did not ask for approval of the maintenance agreements or demo packs at this time since she will talk to other clerks to see who is participating. Carried unanimously.

Clerk read a letter from Kim Ruhland of 4126 Gay Avenue requesting the board to consider a name change for her street since she finds it "very disturbing" to give out her address. Dave Callendar of the Capital Times called and asked for a copy of her letter. He will call back to find out what action we have taken.

Sasso responded the street was probably named after the Gay family who were very prominent in Madison at one time. They owned a great deal of the square and of the East side. He felt there was no reason to consider a change and if could be viewed as an insult to the family. If Ms. Ruhland wishes to contact the Gay family to ask how they would feel about a proposed name change she should feel free to do that and then come back to a future meeting if she wishes to pursue this. Clerk to send Ms. Ruhland a letter stating the board does not see any reason to pursue this issue.

Operator's license was approved for Michelle Femrite of 301 Femrite Drive for Jerry's Bar on motion by Sasso, second by Berg. It will not be issued to her until she completes her bartender awareness class.

Clerk reported we received the final payment for the disaster claim in the amount of \$1,547.58.

We also received the final amount of the 1992 Recycling grant in the amount of \$4,342.91.

Wolf Paving Christmas party is Dec. 16th and everyone is invited.

Cottage Grove Village Clerk called in response to mailing the agenda to them. They would like to receive our newsletter and will discuss the agendas at a future meeting.

Dane County Highway sent a letter stating we would be the lead agency for the Marsh Road project. Our share of the cost will be \$13,896. Clerk told them we would not pay for Madison share of the project until we received the funds from Madison and she would rather they billed each municipality separately. They said this is already in their computers as a Blooming Grove project and would be difficult to change. Redepenning asked if the work on Voges Road is included in the \$13,896. That portion is definitely in the City portion of the work. He will contact Dane County Highway and find out. There was considerable discussion as to being the lead agency. Clerk asked if we wanted Madison to be the lead agency? If so, they will be the ones to determine when the work will be done. Could we just send a letter to Dane County Highway reiterating we will not be responsible for the Madison portion of the bill and payment for the portion will not be made until payment is received. Sasso said he did not want it handled that way.

Clerk left the meeting due to a family emergency.

After continued discussion it was decided clerk should look into "lead agency".

The board again discussed vacating Furey Avenue. They will

see what they can do to get the auto company to comply. Roxanne Stillman asked if there is a paint shop why don't they have to comply. The City should inspect this.

BUILDING COMMITTEE - Sasso said the building project is now past the building committee stage. The board will handle it from now on.

Sasso also said he wants to contact the Attorney General's office to make sure that the information Mitby gave us is correct. He wants to verify it before we contract with American Structures. Sasso said he received calls questioning this process.

Berg said he was told by a neighbor of a building on John Nolan Drive that was built by American Structures and it has problems, leakage I believe, and a dissatisfied owner.

Braun was asked to contact the references on American Structures prior to the next meeting so we may proceed.

PARKS - Berg was given the park information book and asked to get information regarding the Thurber Park shelter.

We discussed the McFarland Land Use plan. Sasso said Ampe was supposed to be on the committee but didn't have much time so we had very little input. Sasso said we should send McFarland a letter about how we feel about the land use plan. Berg asked if everything south of Siggelkow will go into McFarland. Sasso said yes.

We discussed sewer expansion and development of vacant land. Sasso said we should solicit MMSD for urban service area expansion by Rambling Acres, MG&E property, etc. We could then subdivide the land into 1/4 acre lots if we have sewer. Kamm said we would also have to provide water. Sasso will check it out.

Sasso asked Berg to check out development ideas and possibilities, for example what properties have options, what is the current zoning on vacant land in the town, etc.

We discussed the possible sale of the town garage property. Sasso suggested we take any excess costs for the building out of surplus and replace it with the proceeds from the sale of the property.

December meeting date was changed to December 27th rather than the 28th. We also discussed changing both January dates but a decision was tabled until the next meeting.

Treasurer's report was approved on motion by Sasso, second by Braun and a copy is attached.

Motion was made by Sasso, second by Braun to adopt the ordinance Assuming Responsibility for the Treasurer for tax collection. Berg did not vote.

We discussed holiday hours for the town hall. It was agreed to close the town hall on December 24th and December 31st on motion by Sasso, second by Berg.

Sasso made motion to approve the vouchers. Second by Berg. Motion carried.

Being no further business the meeting adjourned at 9:32 p.m. on motion by Braun, second by Sasso.

Respectfully submitted,

Barbara K. Moody
Clerk

BLOOMING GROVE TOWN BOARD

DECEMBER 27, 1993

7:05 PM

PRESENT: Berg, Braun, Brown, Moody, Stillman

Absent: Sasso

Meeting opened with Pledge of Allegiance.

Minutes of December 14, 1993 were approved as amended on motion by Berg, second by Braun.

January meeting dates were changed to January 10th and 24th on motion by Braun and second by Berg. Clerk suggested the board should try to keep our regular meeting dates in the future as much as possible.

We discussed at length the need to proceed with the building contract. Berg indicated he was not comfortable making this decision since Sasso was not present. Sasso said at the last meeting he wished to confirm with the Attorney General's office that it would be proper for us to proceed as per Attorney Mitby's advice. Sasso has since told the Clerk, Treasurer, and Braun that he had cleared it with the Attorney General's office and it would be legal for us to proceed and he wanted it placed on the agenda so we could begin the process. Berg said he wasn't sure that Sasso told him or not so he wanted Sasso present. Clerk pointed out we are not approving a contract, we are only asking American Structures to draft one for approval by the Board and Attorney Mitby. Berg finally said he would go along with it only if American Structures understands that anything he drafts is subject to approval by the attorney and Steve Sasso. Clerk said a contract would have to be approved by the board, not just Sasso. Braun then made a motion to have the contractor draft a contract for our approval, second by Berg.

Berg then said he wanted it on the next agenda for Sasso to state his findings so it is a matter of record.

Vouchers were approved on motion by Braun, second by Berg.

Braun said he had been contacted by a school bus driver to paint new lines at the intersection of Milwaukee Street and Sprecher Road. He wants this on the next agenda.

Braun said Kim Ruhland has contacted him regarding the renaming of Gay Avenue request. She asked how to contact the Gay family. Braun said he would try to assist her because if the Gay family helped develop the East side of Madison then they probably were instrumental in annexing property out of the town and into the City and we shouldn't be trying to keep a street named after a family who were disloyal to the town. Clerk said it seems he is making a lot of assumptions that may or not be true and if he is going to participate and assist Ms. Ruhland he should be careful not to involve

Blooming Grove in a position contrary to the action the town board has taken. Braun responded he has the right as a private citizen to take a position contrary to the board. Clerk reminded him that may be true but his actions will be newsworthy as a town board member. The media will not say Private Citizen, it will say Town Board member and he should make an effort not to drag the rest of the town into something the board as a whole has said they do not wish to be involved in.

Roxanne Stillman asked if the town board doesn't have more important issues to address at this time.

Braun said he would pursue this as a private citizen.

Being no further business the meeting adjourned at 7:36 pm on motion by Braun, second by Berg.

Respectfully submitted,

Barbara Moody
Clerk

