

TOWN OF MILTON

MEETING MINUTES

2022

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
January 12, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on January 12, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures present. Also present were thirteen community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jensen made a motion to approve payment of all bills submitted. Supervisor Jandl seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the December 8, 2021 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Presentation on Mississippi River Trail (Francis Schelfhout): Mr. Schelfhout, Urban/Regional Planner from the Wisconsin Department of Transportation, gave a presentation and answered questions on a request to formally designate certain roadways in the township as Mississippi River Trail, which is a bicycle route that spans 3,000 miles from Minnesota to Louisiana. Several groups in Wisconsin are partnering in an effort to have approximately 250 miles of roadway in Wisconsin designated as the Mississippi Trail. Wisconsin and Illinois are the only two states that make up the National Great River Road National Scenic Byway that have not signed onto the MRT. Mr. Schelfhout explained the many benefits of the designation, discussed the cost and presented the requested route. The initial sign installation would be at the state's expense and any signs on Highway 35 would remain the state's expense. The requested route is from Prairie Moon Road to Kamrowski Road to Indian Creek Road and then back to Highway 35. This route provides the best experience for the bicyclist as it is closest to the river and businesses and is less heavily traveled than Highway 35. Since the group ultimately wants to achieve a U.S. Bike Route designation, they are requesting that the town pass a resolution in support of the designation (a copy of which was provided by Mr. Schelfhout). The resolution will be placed on the February agenda for consideration.

Citizen Request for Approval of Streetlight on Turton Drive: John Kafer, a resident who lives on Turton Drive, has requested to be allowed to place a street light on Turton Drive at no expense to the township. This was initially discussed in December and placed on the agenda this month to allow citizens to voice any concerns. No one on the board received any communication since the December meeting. Supervisor Jandl made a motion to grant authority for Riverland Energy to install the streetlight at the requested location, with the installation and maintenance costs to be paid by the citizens requesting the light, at no cost to the town. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

American Rescue Plan Expenditures: The handicapped accessible door hardware was installed and will be hooked up to electricity in the near future. The final ARPA rule was released and will give the town much more flexibility in how the funds can be spent.

Facility Use Request from Road House Bar: Chairperson Adank received a request for use of the parking lot and field adjacent to the Town Hall from the Road House Bar, which is putting on a Czechville Winterfest Event. Don Baloun is part of a planning group for the event and explained that the event will include different types of racing on the ice on the pond near the Town Hall. Bob Kamrowski and Steve Schiffli, who also own land near the pond have agreed to allow access from their property. The group intends to use the Town Hall parking lot for overflow parking and would not have people with trailers or cleats/studded tires in that area. People with trailers will be parking on the ice. The snowmobile trail will be the path or walking for people walking. The ice will be accessed from behind the bar. Because this is a new event, they do not know how many people to expect, but if there is a need to shuttle people, they will use the snowmobile trail. If successful, this would become a yearly event. The Roadhouse owners have made past efforts to support the community and recognize that the school is a big part of the community, so their intent is to use proceeds from the event for an agriculture grant or scholarship monies for C-FC Schools. Chairperson Adank explained that the policy of the Town Board is to use the facility for non-profit use only. However, this request is different in that it is a request to use the lot and land; has a purpose of provide funding to the school and serves the greater community good by providing an economic development event. Chairperson Adank noted that the Town Board had received an anonymous letter which expressed concern about the ice races and inquired about the insurance carrier for the event. Chairperson Adank stated that the question was intended for the event organizers, as the town was not organizing the event. Paul Sweazey stated that racers would be signing a waiver and participating at their own risk. Supervisor Jensen made a motion to approve the request with the restrictions as explained at the meeting. Supervisor Jandl seconded the motion. No additional discussion. Motion passed 3-0.

Report on .gov domain: The .gov website and emails are now in place. The Town Board will transition to the .gov emails over the next month and use them for official business thereafter.

Update on Remonumentation: The County Board has not yet provided us with the resolution.

Recycling/Garbage: The BBC&M Committee Meeting will be held on January 20, 2022 at 7:30 p.m. at the Milton Town Hall.

Update on Indian Creek Road litigation: The parties have signed a settlement agreement and the matter is closed.

Roads/Bridges:

- **Discussion about LRIP:** Our original LRIP application was submitted and is pending. A second LRIP application was also submitted for additional funding that could pay up to 90% of the project costs. This funding is available to everyone in the state, so it is very competitive and the likelihood of success is low.
- **Updates on Roadwork:** Thank you to Paul Duellman for quickly removing trees that had blown onto roadways during the December 15th storm. He has received requests from residents for stop signs on Badger Road. He will provide a list of the roads to Clerk Engel and the Town Board will act on this at the February meeting.

- Pine Street Snow Pile:** Chairperson Adank received a complaint from Steve Duellman (hereafter, Mr. Duellman) on Tuesday, January 5th that the plastic fence on his property was knocked over by the “town” (the town’s contracted snow plow company). Mr. Adank talked with Paul Duellman and also heard from neighbors, all of whom stated that the fence was already knocked over in that location as well as other places. When Chairperson Adank reported that news to Mr. Duellman, Mr. Duellman then alleged that snow had been pushed onto the fence by the snowplow. Chairperson Adank reviewed the land survey and did a physical inspection of the property on January 6th. Based upon his inspection, he made a determination that, while there is snow on the top of the fence (both in the location of Pine Street and in other locations along the fenceline), the snow was not on Mr. Duellman’s property. Mr. Duellman then informed Chairperson Adank that he intended to call the Sheriff because he felt that Chairperson Adank lacked the urgency to resolve the matter. Chairperson Adank received a call from law enforcement on Sunday; they stated it was a civil matter and they were not going to get involved. Chairperson Adank again went to view the site on Sunday, saw the flags referenced by Mr. Duellman in one of his emails and made the same conclusion—that the snow pile was to the left of the line and looked like fallen or drifting snow, not something that had been plowed onto the fence. Chairperson Adank stated that if the supervisors wanted to go view the site and disagreed with his conclusion, then the town would direct the removal of the snow pile. Supervisor Jensen noted that the snow will melt. Mr. Duellman, who was present at the meeting, was asked by Chairperson Adank if this was an urgent matter. Mr. Duellman responded “no, it’s not a matter of life and death.”
- Brush Removal:** As part of his inspection of the snow pile, Chairperson Adank observed that the unpaved portion of Pine Street still had mess of debris from the trees that were removed by Mr. Duellman as a result of an earlier agreement (made August 11, 2021) with the Town Board, following a meeting at the site. Chairperson Adank’s recollection was that Mr. Duellman stated that he would clean up the debris after the harvest and when that didn’t happen, Mr. Duellman stated that he would clean it up before the end of the year. Mr. Duellman cited Wis. Stat. 86.175 and 66, stating that he could not remove the trees because they had value and he would need the permission of the landowner. Based upon the past misunderstandings about what would be done and by when, Chairperson Adank felt it would be important, going forward, to have very specific agreements in place. Supervisor Jensen made a motion directing Steve Duellman to clean up the existing lumber and debris on the unpaved portion of Pine Street and to stop any further work, including tree cutting, on any property of the town near Pine Street. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. In the future, all future requests pertaining to that area must be made in writing and brought before the Town Board for a vote.
- Snowmobile Trail Resolution:** The Hilltopper TrailBlazers Snowmobile Club has requested to use portions of the town roads to access their trails. Attorney Loberg prepared a resolution consistent with the request. Supervisor Jensen moved to approve the resolution; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.
- Other Roadwork:** None

Announcements: The Annual Meeting of the Fountain City Fire Association is on January 26th.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 7:00 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
February 9, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on February 9, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, and Clerk Kalene Engel. Treasurer Jane Baures was absent with prior notice to the Board. Also present were eight community members.

Informal Public Comment: Chairperson Adank read a letter that was left in Supervisor Jandl's mailbox a few days prior to the meeting. The writer expressed concern about whether the proper permits were pulled for the trailer and septic for the trailer near the roadhouse, citing the town's Comprehensive Plan. Chairperson Adank noted that permit issues were zoning matters, as permits were issued by the County, not the township.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the January 12, 2022 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Promotional Video for the Township: At the invitation and request of Clerk Engel, David Taylor from Househike Drone was present to discuss ideas and options for a promotional video for the township. Sample videos and photos were displayed and the goals and costs of a promotional video were discussed. The consensus among the board was that the video would cover all seasons of the year and be intended to influence viewers that the township is a great place to live, work and conduct business. Pricing options were reviewed and discussed. Supervisor Jandl made a motion to hire Mr. Taylor to spend up to \$5,250 to obtain footage and photos from all seasons and produce a 1-2 minute promotional video (Silver Package but with additional time allotted for capturing footage/photos). Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0. Mr. Taylor will provide a contract to Clerk Engel for execution by Chairperson Adank.

Resolution on Mississippi River Trail: In January, the Board received a presentation about the Mississippi River Trail along with a request for a resolution to designate the trail in the township. Supervisor Jensen moved to approve the Resolution to Support the Designation of the Mississippi River Trail Within the Limits of the Town of Milton. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Sharon Kamrowski requested that the township consider designating the speed limit on Bechly Road to 35 mph and the speed limit on Kamrowski Road to 45 mph. Chairperson Adank will consult with Attorney Loberg and will try to have something for the board to review in March.

American Rescue Plan: As noted in previous meetings, the final rule on allowable expenditures is less restrictive, so the funding can be spent on nearly any governmental purpose, including the promotional video discussed earlier in the meeting. Other proposed expenditures include the handicapped accessible door (which is now operational), the keypad lock on the rear

door, the sidewalk, the parking lot and potentially the newly pillar “wraps” at the entrance to the town hall.

Report on .gov domain: The board is still transitioning to the .gov emails.

Update on Remonumentation: Buffalo County finalized the ordinance on remonumentation in December. The town will issue the 2022 payment in March.

Fountain City Fire Association: The FCFA met on January 26, 2022. There are some changes in leadership due to retirements. The bylaws were amended to provide for the allocation of utility expenses to participating municipalities as part of the annual allocation of expenses. The Association is considering the purchase of a new tanker truck in 2024 at a cost of approximately \$250,000. The current equipment account has a balance of \$130,000, so the township’s portion of the cost will be in the \$40-50,000 range. The current budget contains a \$12,500 allocation for equipment expenditures and this will continue for future budgets, such that the township should have its share of the cost saved by 2024.

Recycling/Garbage: The BBC&M Committee Meeting was held on January 20, 2022. Waste Transport is planning to construct a transfer station at the current site and is working with the Village of Cochrane and Department of Natural Resources on that project. It is anticipated that Waste Transport will be in a position to take over the BBC&M site on July 1st. Once that occurs, BBC&M will contract with Waste Transport.

Roads/Bridges:

- **Discussion about LRIP:** No updates.
- **Updates on Roadwork:** None.
- **Pine Street Snow Pile:** Per reports of observers, the snow pile has melted.
- **Pine Street Brush Removal:** No updates.
- **Pine Street Subdivision – Request for Town Funding for Portion of Roadway Cost for Development:** Jonathan Duellman is considering the creation of a housing development on land that he purchased adjacent to the Pine Street Subdivision. He has requested that the township take over the new proposed roadways once they are graveled, citing concerns that the cost of blacktopping the roadways (as is required by the current ordinance) would be cost prohibitive. He provided information on lot costs, roadway costs, property tax amount based upon current mill rate and a sketch of the proposed subdivision in advance of the meeting, but was unable to attend the meeting. In correspondence with Chairperson Adank, Mr. Duellman noted that Buffalo City has a process whereby if a developer creates a roadway with base and gravel for a development, once the occupancy gets to a certain percentage, the city pays to blacktop the roadway. Numbers provided by Mr. Duellman included the following:
 - \$3,300,000 assessed value of property in subdivision (once complete) x .001503357 (current mill rate) = \$4,961.08 in property taxes
 - \$1,335.40 for transportation aid for an additional ½ mile of roadway
 - \$150,000 for cost of paving the proposed roadway

Chairperson Adank noted that the annual average cost of road maintenance and construction is approximately \$3,000 per mile, so the state transportation aids do not fully

fund the cost. He further noted that the town does not have available funding to cover the cost of paving and that the township has a longstanding history of only taking over already paved roads. Clerk Engel noted that the mill rate calculations are more complicated than simply taking the current mill rate by the proposed development assessed value. Chairperson Adank cited the fairly recent example of the Fern Circle subdivision, where Rich Ernst paid for the cost of the roadway as part of the development. Others in attendance were opposed to the idea of the township paying for the pavement, noting that it sets a precedent that the township cannot afford and that it is typically on a developer to pay the costs for the infrastructure necessary for a development. Discussion was also held on the request that the township assume maintenance responsibilities if the road were graveled per the Roadway Ordinance, but not blacktopped. Concerns about precedent-setting and increased maintenance costs were raised regarding that option. Since at least 2009, the township has had an ordinance that required a roadway to be blacktopped before the town would take over responsibility for it. Chairperson Adank noted that Mr. Duellman stated that if the township was not willing to accept his request, then he would not be able to do the subdivision due to cost. Board members expressed support for development and expanding housing in the township, but due to previously noted concerns, declined to bring forward a motion in support of the proposal. A suggestion was made that Mr. Duellman reach out to other developers for advice and to possibly pursue road infrastructure grant opportunities.

- **Other Roadwork:** None

Announcements: The septic system froze again on January 27th. Thank you to Paul Duellman unthawing the system and cleaning up the backup in the town hall. Thank you to Ron Speltz for caulking the nails on the roof and to Joe Kaczorowski for installing the keypad lock on the rear door.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 7:12 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
ANNUAL ROAD SURVEY MEETING
April 13, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall at 4:00 p.m. with Supervisor Pam Jensen and Supervisor Jeff Jandl present. Also present was Paul Duellman.

Informal Public Comments: None

Discussion and Planning:

Budget: Chairperson Adank reviewed the Public Works budget of \$108,508 plus future road reserve budget of \$54,651 and discussed how this number was established. He presented the 3 year road plan with outflows and budget assumptions. The town is planning to spend \$40,000 for snowplowing based on historical averages, summer maintenance of \$50,000, major road projects of \$16,000, and future road projects of \$54,651.

Estimated Road Costs: Last year the town used an estimate of \$175,000 per mile for reconstruction and \$16,000 for chip seal. These numbers are in line with estimates received last year for projects. The town board agreed to use \$16,000 for chip seal and \$175,000 per mile as planning assumptions for this year.

Canada Ridge Rd Project Update: The board reviewed the 3-year maintenance plan and Canada Ridge Rd should be completed next summer. Chairperson Adank reminded the board that the town will be receiving approximately \$15,000 towards the Canada Ridge Rd reconstruction project.

Additional federal funds are available in a grant from the Bipartisan Infrastructure Law (BIL). Chairperson Adank noted that Clerk Engel had attended multiple webinars on the project and that he spoke with a Wisconsin DOT representative about opportunities for the town. The state has \$10 million in grant funds to award for each of the next five years to towns, cities, and villages. This will be a very competitive grant with many applicants. The DOT representative thought an ideal project would be between \$300 thousand and \$400 thousand. Application deadline for FY23 is June 3, 2022. The project will require design, engineering, and an environmental survey. He said to estimate 25% of the project for these purposes. Chairperson Adank described the Canada Ridge Rd resurface project to the representative and he thought it would be a good fit, but it will still have a small chance in getting awarded. The town will file an initial application and if awarded will pursue a resurface project to complete the top of Canada Ridge Rd.

Bridge Maintenance Plan: Chairperson Adank reviewed the 2021 Bridge Inspections of Local Road Bridges Report provided by MSA. The recommendations include:

1. Kamrowski Road
 - a. Seal cracks in AC
2. Lower Eagle Valley Road
 - a. Replaced with Culvert
3. Lower Eagle Valley Road
 - a. Remove debris under bridge that is caught at entrance to steel culvert
 - b. Replace missing north guardrail and object markers
 - c. Based on the condition of the abutment winds/channel, this is on the replacement list.

The second Lower Eagle Valley Road bridge inspection was done prior to the culvert replacement project in the fall of 2021.

Preventative Maintenance Projects: The board discussed additional preventative maintenance projects including chip seals for Semling Ln and Pelley Rd. Most of the subdivision roads have had chip seal maintenance in recent years except for Fern Circle. Limited budget this year will prevent it from being done, but will be a priority in future years when the town resumes a normal maintenance schedule after the Canada Ridge Rd project.

Road Plan for 2022: The board identified the following priorities for this year:

1. Summer Projects:
 - a. Canada Ridge Rd shaping in preparation for reconstruction project
 - b. Adding gravel to Kennebeck Rd
 - c. Look into replacing cattle pass on Canada Ridge Rd with a new culvert that would be cost shared with Buffalo County
2. Chip seal Semling Ln and Pelly Rd
3. Bridge Maintenance on Kamrowski Road
4. Saving for Canada Ridge Rd reconstruction project next year

These recommendations will be discussed at the April monthly town board meeting.

Adjournment: Supervisor Jensen moved to adjourn. Supervisor Jandl seconded the motion. No Discussion. Motion passed 3-0. Meeting adjourned at 4:56 p.m.

Minutes by Ben Adank, Town Chairperson

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
March 9, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on March 9, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, and Treasurer Jane Baures. Clerk Kalene Engel was absent with prior notice to the Board. Also present were five community members.

Informal Public Comment: None

Bills: Bills were presented. Supervisor Jensen made a motion to approve payment of all bills submitted. Supervisor Jandl seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the February 9, 2022 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Speed Limit Ordinance: Last month a town resident asked the board to consider lowering the speed limit on Bechly Rd from 45 mph to 35 mph and to establish a 45 mph speed limit on Kamrowski Rd. The board agreed and Attorney Loberg drafted a new ordinance for the new speed limits and also consolidated existing speed limit ordinances into one. The new ordinance establishes the following speed limits in the town:

- 25 miles per hour on Indian Creek Road from the Burlington Northern Railroad Crossing extending North for one-half mile.
- 45 miles per hour on Waumandee Creek Road from the junction of State Highway 35 extending approximately 4.1 miles to the junction of Waumandee Creek Road with State Highway 88.
- 35 miles per hour on Bechly Road from the junction of State Highway 35 extending approximately one-half mile to the junction of Indian Creek Road.
- 45 miles per hour on Kamrowski Road.
- 35 miles per hour on Lower Eagle Valley Road.

Supervisor Jandl made a motion to approve the new speed limit ordinance as presented; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Recycling/Garbage Update: A special meeting was called by BBC&M last week to discuss a proposal from Buffalo County regarding the purchase of the shed the current recycling center is operating in. Buffalo County owns the building where the BBC&M recycling facility is and the Village of Cochrane owns the land. Since Waste Transport is planning to build a transfer station at the current site, the Buffalo County Recycling Committee got an appraisal of the building for \$53,000 and would like BBC&M to purchase the building at that value. The building has no

value to the Town of Milton or BBC&M so the committee declined the offer. Buffalo County will be posting and accepting bids for the building in the future. After it is purchased, the buyer will have 30 days to remove the building from the site so that Waste Transport can begin construction on a new transfer station.

Changes to the April Regular Board Meeting: State statute sets the annual town board meeting be held on April 19. The regular monthly board meeting will be changed from April 13 to April 19 following the meeting. Chairperson Adank will not be at the meeting because of a previously scheduled trip. Supervisor Jensen made a motion to move the regular April board meeting to April 19 immediately following the annual meeting; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Discussion about Road Funding Sources: There are a lot of federal grant dollars available to local municipalities for road projects. Clerk Engel recently attended a 3 hour webinar on the subject and believes Canada Ridge Rd would be a good candidate for a grant. Chairperson Adank will watch the webinar and contact engineering firms to discuss grant requirements and will have an update at the April annual road survey meeting.

Annual Road Survey: The Annual Road Survey was scheduled for April 13 at 4:00pm.

Announcements: None

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:23 p.m.

Minutes by Ben Adank, Town Chairperson

TOWN OF MILTON
ANNUAL MEETING MINUTES
April 19, 2022

Chairperson Adank called the meeting to order at the Milton Town Hall, S2794 State Rd 88, Fountain City, WI 54629 at 6:00 p.m. with eleven residents of the Town of Milton present. Two non-residents arrived at 6:04 p.m.

Introduction: Chairperson Adank reviewed the format of the annual meeting.

Elector's Input on Agenda Items: Clerk Engel asked to add an agenda item for review of license fees.

Approval of Minutes: Clerk Engel read the minutes of the April 20, 2021 Annual Town Meeting. Paul Duellman moved to approve the minutes as read; Sharon Kamrowski seconded the motion. No discussion. By a show of hands, the motion carried unanimously (11-0).

Annual Report: The 2021 Annual Report was distributed prior to the meeting and also posted on the town website. Chairperson Adank discussed the format and content of the report. He explained that the overall holdings increased from \$387,333.77 on December 31, 2020 to \$455,792.49 on December 31, 2021, mostly due to the ARPA Grant and monies being saved for future road projects. We had higher than normal legal expenses last year, spending \$12,867.57 on the Indian Creek Road right-of-way litigation. The town also has pending litigation in 2022, so if that continues, the tax levy may need to be increased to cover those expenses. Jeff Jandl made a motion to approve the Annual Report and Pam Jensen. seconded the motion. No discussion. Motion passed 10-0 with one abstention.

2021 Year in Review:

- **Town Hall:** The town hall continues to be utilized for public service uses such as COVID testing and vaccine clinics and health clinics. A number of improvement projects were completed in 2021 including paving the parking lot, installing a sidewalk from the back door to the parking lot, adding landscape rock around the building exterior, installing a handicapped door in front and electronic keypad entry in back and fixing the twisted column on the front of the building. An adjuster inspected the roof for damage following a large hailstorm in 2021. He found no roof damage, but did note that the roof nails were not sealed on the top of the roof. He strongly recommended that the nails be sealed. Chairperson Adank contacted the original contractor, Steve Duellman, who stated that he does not seal the nails in that way and would charge the town for the work. When Ron Speltz completed some of the other work at the town hall, he sealed the exposed nail heads at no cost. The septic system has frozen a few times in the really cold weather due to the lack of use of the system. Thank you to Paul Duellman who has been checking in on the town hall and running water to reduce the incidences of freezing. Paul is also working with Schaffner Plumbing to come up with a more permanent solution for the septic issue. Another issue is the excessive rust in the water, which discolors the toilet. Paul Duellman is also working with Schaffner Plumbing on a possible solution for that issue.

- **Remonumentation Project:** The remonumentation project was approved in 2021 and the town made its first payment of \$12,500 to the county in 2022. The agreement with the county provides that the project must be completed in four years or else the county must refund our payments.
- **Litigation report:** The Indian Creek Road right-of-way litigation against Steve Duellman was settled in 2021, with the road established as a 3-rod rod. As mentioned earlier, the town spent \$12,867 in attorney's fees and also incurred expenses for title searches and a survey. Another issue that arose was a complaint about a snow pile on Pine Street. Steve Duellman claimed that the town pushed a snow pile to the end of the road, knocking over his orange plastic fence. Neighbors reported that the fence was knocked over prior to the snow falling. Chairperson Adank viewed the pile and was unable to determine whether the pile was on the road or Mr. Duellman's property. Mr. Duellman contacted the Buffalo County Sheriff's Dept. to report the matter. The town recently received a letter from the District Attorney who stated that they were declining to press charges or pursue the matter. In a message to Clerk Engel, the District Attorney stated that the letter that was sent was a standard "no prosecution" letter and that there was no way that they were going to press charges. Chairperson Adank observed that the snow pile melted which essentially resolved the issue from the town's perspective. Recently, Steve Duellman filed suit in small claims court against the town for \$9,043.30. It is not clear exactly what he is claiming, but it appears that he is trying to recover legal expenses regarding the Indian Creek Road right-of-way matter. Since this is in small claims court, it should get resolved fairly quickly.
- **Road Report:**
 - **2021 Road Projects:** In 2021, the town prioritized savings for the Canada Ridge Road project, so we did not complete chip seal projects. Projects completed in 2021 included routine maintenance, some crack sealing, brush cutting, prep work on Canada Ridge Road and maintenance on Henry Lane.
 - **2022 Road Projects:** The Annual Road Survey Meeting was held on April 13, 2022. The priority remains Canada Ridge Road reconstruction in 2023, which would leave approximately \$16,000 for approximately 1 mile of chip sealing on Semling Lane and Pelley Road. The summer project lists includes Canada Ridge Road shaping in preparation for the reconstruction project, adding gravel to Kennebeck Road and replacing a cattle pass on Canada Ridge Road with a new culvert, as a cost share with Buffalo County.
- **Election Update:** Only two elections have been held since the last Annual Meeting, one in 2021 and one in 2022. Hale Madsen recently became the first graduate of the High School Pollworker Program and did a great job working at the April election. The town hall was configured differently during the April election, so as to use the back door and sidewalk. This worked fine in the morning, not in the evening due to the fact that there is no light by the back door.

- **Recycling/Garbage:** Waste Transport plans to take over the BBC&M site and will be building a transport facility at that location, once the existing building is auctioned off by Buffalo County and removed. The new facility is expected to be built by July 1st.
- **Town Assessor/Attorney:** The current town assessor is Eric Kleven and the current town attorney is Robert Loberg. Rich Bagniewski made a motion to recommend that the town retain the services of Kleven and Loberg for another year. Jane Baures seconded the motion. No discussion. Motion passed 11-0.
- **Board of Review Recap (2021):** The 2021 Board of Review was slow, with no objections filed.
- **Fire Association/Fire Truck:** The Fire Association plans to purchase a new fire truck in 2-3 years, so the town will include a budget line item for that expense. The association board has requested a multi-year capital improvement plan, so towns have a few years to plan for it.

ATV Trails: Buffalo County passed an ordinance to allow county roads to be used as ATV Trails. The Town of Milton passed an almost identical ordinance for town roads, with the most notable change being that ATVs are allowed year-round on town roads, whereas the county limited the months of operation.

License Fees: Treasurer Baures reviewed the current dog license fees, as follows: \$5 (neutered); \$10 (not neutered) and \$10 late fee. Clerk Engel reviewed the current alcohol license fees, as follows: \$500 liquor license; \$100 beer license; \$10 operator's license; \$7 background check fee and \$5 provisional operator's license fee. No action on license fees was recommended or made.

Election Workers: The hourly rate for election workers was raised to \$12/hour in April of 2021. Chief Inspectors are paid \$10 extra per shift worked and all workers receive a \$5 mileage allowance. No action on election worker pay was recommended or made.

Compensation of Town Board: Chairperson Adank reviewed the compensation for Town officers, as follows:

- Chairperson: \$6,500 – effective April 2021 – increased by \$1,000 in 2020
 - Supervisor: \$2,000 – effective April 2015-increased by \$350 in 2015
 - Treasurer \$4,500 – effective April 2021-decreased by \$500 in 2020
 - Clerk: \$12,000 – effective April 2021 – increased by \$2,000 in 2020
- No action was taken or recommended.

Adjournment: A motion to adjourn was made by Jane Baures. and seconded by Jeff Jandl. Motion passed unanimously (11-0).

Meeting adjourned 6:34 p.m.

Submitted by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
April 19, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on April 19, 2022 at 6:35 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures. Also present were six community members and two guests.

Informal Public Comment: None

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the March 9, 2022 Town Board Meeting and April 13, 2022 Annual Road Survey Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Board of Review Training: A member of the Board of Review must complete training prior to the Board of Review in early May. Supervisor Jandl will complete the training. Chairperson Adank will also complete the training.

Appointment of Assessor and Attorney: Supervisor Jandl moved to appoint Eric Kleven as Assessor and Robert Loberg as Attorney for the town. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Update on litigation/complaints against the Town of Milton: As noted during the Annual Meeting, two additional claims were filed against the town by Steve Duellman. The District Attorney has declined to prosecute the complaint about snow being pushed onto his fence. The small claims court matter filed by Mr. Duellman (which is apparently to recover \$9,043.33 in legal fees from the Indian Creek Road right-of-way litigation) is pending and will be kept on the agenda until the matter is resolved.

Town Input on Rezone Request of D&B Properties, LLC: Bob Timm and Tyrone Lingefelter were present to discuss the request by D&B Properties, LLC to rezone approximately 13 acres of land adjacent to the racetrack's parking lot from residential to agricultural. When D&B purchased the property from Rita Bechly, they believed it was zoned agricultural, but have since found out that it is residential. The seller and purchase agreement represented the land as agricultural land, it has been consistently used for agricultural purposes and is assessed at an ag rate; however, the zoning records reflect that it is residential. D&B planned to use the land for special event camping for some of the larger events hosted by the racetrack and started advertising it for that purpose, but after someone complained to Buffalo County, they were told

by Buffalo County Zoning (Mike Owecke) that they could not use it for camping unless it was rezoned. Nor would Mr. Owecke agree to allow them to get a temporary camping permit (as they do for their other parking lot) because it is not allowed on property zoned residential. For this year, Mississippi Thunder plans to use its existing parking lot for camping and the newly acquired land for parking. However, they are pursuing a rezone of the newly acquired land from residential to agricultural and need to get town input to take back to the county. The matter would then go back to the county for hearing and consideration, after which D&B would pursue a conditional use permit for a temporary campground (a CUP is required for temporary campgrounds with greater than 150 sites). Although they have tossed around the idea of a permanent campground, they are not sure if it will ever happen because much is required. Chairperson Adank noted that the town had three options: approve, disapprove or take no position on the request. Since there was no urgency to the matter, he suggested that the item be placed on the May agenda, at which time input could be received from residents and the town could weigh. Steve Duellman stated that he would want an agenda item for his nearby property as well. He was advised that it would be a separate agenda item and that he would need to complete the paperwork for it.

Adoption of Hazard Mitigation Plan: Buffalo County sent a proposed Hazard Mitigation Plan to all municipalities. The document is lengthy and the board members had not had a chance to thoroughly review it. Because the county is not requesting a response until June, this matter will be placed on the May and June agendas to allow town board members time to review the document.

Election Update: The April election went well.

Discussion of website/social media updates and use: Clerk Engel requested input from the board on a new website design (which the current provider will do for free) and guidance as to whether to use the website and Facebook account for town business only or to include postings of local businesses and events. The board will review some of the other Town Web Design sites and provide input to Clerk Engel. The consensus of the board was that the Facebook account should be used for town matters only.

ARPA Expenditures: After reporting the approved ARPA expenditures, approximately \$15,366 in ARPA funds remains to be spent. Future expenses under consideration include the costs to fix the septic system so it does not freeze, to eliminate/reduce the iron in the water and to add a light to the back door. Once those expenses are known, additional projects, such as a shed, can be considered.

Recycling/Garbage Updates: Waste Transport will be taking over the BBC&M site and plans to build a transfer station at the site of the current recycling site.

Roads & Bridges:

- **Stop sign at Badger Road & Spruce Street:** Supervisor Jandl made a motion to have Paul Duellman install a stop sign at the intersection of Badger Road and Spruce Street. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.
- **Road Survey and Proposed 2021 Roadwork:** The Annual Road Survey Meeting was held on April 13, 2022. The priority remains Canada Ridge Road reconstruction in 2023, which would leave approximately \$16,000 for approximately 1 mile of chip sealing on Semling Lane and Pelley Road. The summer project lists includes Canada Ridge Road shaping in preparation for the reconstruction project, adding gravel to Kennebeck Road and replacing a cattle pass on Canada Ridge Road with a new culvert, as a cost share with Buffalo County. Supervisor Jensen moved to complete the roadwork as above-described. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Announcements: None

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 7:08 p.m.

Minutes by Ben Adank, Town Chairperson

MINUTES OF THE TOWN OF MILTON
BOARD OF REVIEW
May 5, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Rd 88, Fountain City, WI 54629 at 3:30 p.m. on May 5, 2022.

Roll Call: In addition to Chairperson Adank, the following Board of Review members were present: Supervisor Pam Jensen, Supervisor Jeff Jandl and Clerk Kalene Engel. Also present was assessor, Eric Kleven.

Confirmation of Appropriate Board of Review Notice: Clerk Engel verified that the statutorily required Board of Review notices were provided in April.

Select Chairperson for Board of Review: Supervisor Jensen nominated Chairperson Adank to serve as the Chairperson of the Board of Review; Clerk Engel seconded the motion. No discussion. Motion passed 4-0.

Select Vice-Chairperson for Board of Review: Supervisor Jandl nominated Supervisor Jensen for Vice-Chairperson; Clerk Engel seconded the motion. No discussion. Motion passed 4-0.

Verification of Mandatory Training: Clerk Engel noted that Pam Jensen had undergone the board of review training and that the Affidavit of Training had been filed with the Department of Revenue.

Verification of Town Ordinance on Confidentiality: Chairperson Adank verified that the Town has an ordinance for confidentiality of income and expense information. The ordinance is Ordinance 11.

Review of new laws: Chairperson Adank and Assessor Kleven reviewed recent and anticipated law changes including ag use value and personal property taxation. The personal property bill was vetoed; there is a similar bill that is just starting. Assessor Kleven feels that all personal property will be exempt at some point. A new court case in Kenosha addressed use value of a 9 acre lot in Kenosha where the property owner argued that the acreage was ag value based upon a walnut tree, pine trees and chickens being located on the land. He lost.

Report/Receipt of Assessment Roll: Assessor Kleven reported that the assessment roll was completed and appropriate reports filed. Clerk Engel received the assessment roll from the Assessor, completed the sworn statement and delivered it to the Chairperson Adank.

Review the Assessment Roll and Perform Statutory Duties: The Board of Review received the Assessment Roll and performed its statutory duties.

Error Under State Law: Assessor Kleven indicated that the following corrections of error were made under state law: none.

Open Book Changes: Assessor Kleven stated that there were no open book changes; any corrections were made prior to open book.

Taxpayer Examine the Roll: No taxpayers requested to examine the roll.

Consideration of Waiver of 48 Notice of Intent to File and Objection Due to Good Cause: The Board of Review did not receive any requests to waive the 48-hour notice.

Consideration of Waiver of Board of Review Hearing to allow property owner to appeal directly to district court: The Board of Review did not receive any requests from property owners to waive a Board of Review Hearing.

Requests to testify by telephone or submit sworn written statement: The Board of Review did not receive any requests for testimony via telephone or sworn written statement.

Subpoena requests: The Board of Review did not receive any subpoena requests.

Action on any other legally allowed/required Board of Review matters: The Board of Review did not receive any requests or have any other legally allowed/required actions to consider.

Review Notices of Intent to File Objection: The Board of Review did not receive any Notices of Intent to File Objection.

Proceed to Hear Objections Upon Proper Notice/Waiver: The Board of Review had no objections to consider.

Consider/Act on scheduling additional Board of Review Dates: There were no objections, so no additional hearings were scheduled. Next year's Open Book will be held on April 27, 2023 from 10 – noon electronically; in person meetings will be by appointment only. Board of Review will be held on May 4, 2023 from 3:30 – 5:30 p.m. at the Town Hall.

Adjourn: Supervisor Jensen moved to adjourn. Supervisor Jandl seconded the motion. No discussion. Motion passed 4-0. Meeting adjourned at 5:30 p.m.

Respectfully submitted,
Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
May 11, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on May 11, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures. Also present were fourteen community members.

Informal Public Comment: Steve Popp would like the township to look into putting a turnaround at the end of Alfred Drive he believes there is insufficient turnaround space for the school bus. The bus is currently using his driveway and his concrete is cracking. Kevin Czaplewski and Colleen Kelly live in the area where the proposed turnaround would be located and are opposed to the request. Chairperson Adank stated that the township could take a cursory look into the matter to see if there is sufficient road right-of-way and put the matter on the June agenda.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the April 19, 2022 Town Board Meeting and May 5, 2022 Board of Review prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Update on litigation/complaints against the Town of Milton: The next court hearing on the Steve Duellman v. Town of Milton small claims court matter is on May 18th to hear the Motion to Dismiss brought by Attorney Loberg.

Town Input on Rezone Request of D&B Properties, LLC to rezone land adjacent to Mississippi Thunder Speedway (MTS) parking lot from residential to agricultural with intended purposes of being used as a temporary campground by MTS during large events: Chairperson Adank explained that this was the second meeting on this request. In April, D&B presented its request and the matter was placed on the May agenda to allow residents an opportunity to provide input. Current zoning laws allow temporary campgrounds as a permitted use on agricultural land (requiring a permit for each event). Although the land in question has always been used as agricultural land and was taxed as agricultural land, it is zoned residential. The first step in the process for D&B to be able to use the land as a temporary campground is a rezone. The first step in the rezone process is to obtain input from the Town, which can support, oppose or take no position (no comment) on the request. If there is strong opposition voiced, the Board will typically oppose the project; if strong support, will support the project and if no input, will remain neutral. After input from the town is received, the next step for D&B would be to

seek the rezone through the County Zoning Department, which would involve public hearings and other processes.

Tyrone Lingenfelter was present on behalf of D&B and explained that D&B was requesting to rezone the land adjacent to the MTS's existing parking lot from residential to agricultural so that it could be used for a temporary campground for big events at MTS. Currently, the lot next to the racetrack is zoned agricultural and has primarily for parking, but also for camping during big events (via temporary camping permits). As the MTS hosts bigger events, it needs more space for parking and camping so the MTS owners acquired the lot adjacent to the parking lot to be used for camping during big events. D&B does not intend to do anything to the land itself. The main rationale for the request is due to safety concerns, as the added space will prevent vehicles from parking on the highway due to insufficient parking space in the lot. Flipflopping the parking and camping spaces will also limit the number of non-campers walking through campsites. The large event that was hosted the first weekend in May brought approximately 4,000 people into the area from all over the country which brought business into the community. Local groups benefitted from fundraiser opportunities held in conjunction with the races.

Input on the request was as follows:

- Accessing the land does not involve using township roads.
- Providing additional space for camping will increase safety because cars can park in the lot and not on the highway.
- There have been no noise complaints about the campground as the parties and other activities are kept in the pits.
- Each year D&B would have to get a permit for the temporary campground so any concerns could be raised at that time.
- The request is directly tied to events sponsored by the landowners which bring business and people into the area, supporting economic development.
- There is no plan to do anything to the land other than use it as a temporary campground during big MTS events.
- No one raised any objections to the proposed request.

Supervisor Jensen moved to support the request to rezone the land from residential to agricultural. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Since the form submitted did not specifically state the rezone request, Chairperson Adank stated that it needed to be modified to do so before it could be signed.

Request for Town Input on Rezone request from S&J Properties to rezone land in and near the Pine Street Subdivision from residential to agricultural with intended purpose of being used as a campground: This item is on the agenda for the first time, so the same procedure will be followed as the D&B request. Information will be received at this meeting and the matter will be brought back at the June meeting for public input and action. Jonathan Duellman was present to explain the S&J request. S&J wants to give the MTS the opportunity to build on for future expansion onto S&J's properties. The property in question is connected to

MTS's property by a field road. He spoke to Bob Timm of MTS to see if MTS needed more space and that is when they discovered the zoning issue. The land is separated by a row of pine trees from the D&B properties land. As of right now, S&J would run in tandem with MTS and its events and use the area for overflow for large events. For every event, they would obtain a permit from the health department. If the area is not needed, they would not apply for a permit.

A resident asked how many campgrounds we needed in the township, since there is already one in Eagle Valley, Merrick State Park and at MTS. Mr. Lingefelter noted that the S&J properties land could provide space for 350 campers. At the event held the prior weekend, which was MTS's largest event to date, they had 180 campers. He noted that, at the point in which the S&J properties space was full (350 campers), they would run out of seating for the races. Per Mr. Lingefelter, outside of big events, they do not have a need for campsites.

Because the request submitted by S&J described the project as "proposed seasonal camping (spring, summer, fall)," Clerk Engel asked Mr. Duellman to provide a revised form with an accurate description of the proposed development/land use. This matter will come back before the Board at the June meeting.

Mississippi River Trail: The Town Board previously approved a proposed route for Mississippi River Trail (bike trail) designation which ran through Indian Creek, Kamrowski Road and Prairie Moon Road. The group attempting to receive MRT designation is now requesting a revised route on State Highway 35 throughout the entire length of the township. This is because the Town of Belvidere did not approve of the route on Prairie Moon Road (a shared road), believing it would pose a safety hazard, even though existing data shows that the highway is significantly more dangerous than the route that was previously approved by the Town Board. Chairperson Adank noted that the proposed route reduced the economic benefit to the town because it would bypass the businesses in Indian Creek. Supervisor Jandl noted that bicyclists regularly used the approved route anyway and observed that bicyclists on the highway sometimes presented a safety hazard for other motorists. No action was taken.

Hazard Mitigation Plan: Action on this matter will occur at the June meeting.

Website Design: Clerk Engel distributed a list of links to new website designs to the Board. The consensus among board members was that none of the new designs were better than the existing website. Clerk Engel will contact Town Web Design to see if upgrades can be made to the functionality of the website without affecting its appearance.

Resolution to Support Changes to Manager Forest Land (MFL) Program: At the request of a legislator, the Buffalo County Board of Commissioners passed a resolution to support changes to the MFL Program. The MFL Program allows for landowners to place forest land into a program which results in significant tax benefits to the landowner, lowering revenue to the local governments. Non-resident (absent) landowners are able to buy chunks of hunting land and pay very low taxes. The resolution encourages the legislature to retain MFL for homestead properties

and limit the number of acres permitted to be in MFL. Clerk Engel noted that the town assessor did not believe that there would be any changes to MFL taxation anytime soon. Supervisor Jensen moved to approve the resolution. Supervisor Jandl seconded the motion. No discussion. Motion carried 3-0.

ARPA Expenditures: Paul Duellman obtained an estimate of \$4,400 from Schaffner Plumbing for an iron filtration system for the town hall. The system would eventually clean up the rusty water, but it would take time to do so because of all of the rust in the pipes. Excavation costs were not included in the estimate. This item will be placed on the June agenda for action.

Recycling/Garbage Updates: No updates

Roads & Bridges:

- **Opening of bids for Semling Road and Pelley Road:** Chairperson Adank opened the one bid that was received. Scott's Construction bid \$9,525 to chipseal Semling Road and \$11,074 to chipseal Pelley's Road, for a total cost of \$20,599. The quote did not include signage and sweeping after the project was completed as that will be the responsibility of the Town. This was included in the bid due to a 2017 lawsuit arising from loose gravel/signage. Supervisor Jensen moved to award the project to Scott's Construction for the bid price of \$20,599. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0. Paul Duellman stated that he would take care of the post-project signage and sweeping.
- **Consideration of chipseal on Prairie Moon Road segment:** Because Scott's Construction will be completing a chipseal for the Town of Belvidere on Prairie Moon Road, they also provided an estimate to the Town of Milton for the remaining section of the roadway, from the Belvidere town line to Highway 35. The estimate amount was \$24,995. An estimate of \$500 to complete chipsealing on the Kamrowski Road Bridge was also received. Clerk Engel and Chairperson Adank reviewed the budget and determined that we have the money to complete the projects due to lower highway expenditures in 2021 and the delayed payment for remonumentation. Completing additional road work this year would also assist with maintaining the maximum amount of highway aid, as it is based upon highway expenditures. Supervisor Jensen moved to approve the Kamrowski Road Bridge chipseal in the amount of \$500. Supervisor Jandl seconded the motion. NO discussion. Motion passed 3-0. Supervisor Jensen moved to approve the Prairie Moon Road chipseal in the amount of \$24,995. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Clerk Engel will post a notice of intent to execute the Prairie Moon Road chipseal contract.
- **Petition to Transfer Funds for Bridges:** The County Highway Department has requested permission to transfer funds from one of the Lower Eagle Valley bridge projects to another, by way of a petition. Supervisor Jandl moved to execute the petition. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0

- **Other Roadwork:** Paul Duellman will be completing roadwork on Kennebeck Road and may need to replace a 20 foot, 15" culvert.

Announcements: None

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:59 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
June 8, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on June 8, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures. Also present were eighteen community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the May 11, 2022 Town Board Meeting. Supervisor Jandl made a motion to approve the minutes as presented; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Insurance Update from Steve Berger of Rural Mutual Insurance: Steve Berger reviewed the property, business owners and workers' compensation coverages for the insurance carried by the Town of Milton through his agency. He provided documentation of the premium amount for the property coverage on the Prairie Moon for \$1,464 with anti-terrorism coverage. Supervisor Jandl made a motion to approve the payment of \$1,464 for the insurance coverage. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Update on Small Claims Court litigation against the Town of Milton by Steven J.

Duellman: The motion to dismiss brought by the town was granted and the town was awarded \$300 in costs from Mr. Duellman. Mr. Duellman has not paid the \$300 to the town.

Consideration of Notice of Claim and Claim of Steven J. Duellman against the Town of Milton, received June 2, 2022: A claim by Mr. Duellman was received by the town on June 2nd as is being reviewed with legal counsel. An update will be provided at the July meeting.

Request for Town Input on Rezone Request of S&J Properties to rezone land in Pine Street subdivision from residential to agricultural with intended purpose of being used as a campground: Chairperson Adank explained that this was the second meeting on this request. Jonathan Duellman, who was present on behalf of S&J Properties, had completed a Towns Acknowledgement Form requesting to rezone the property of S&J in and behind the Pine Street Subdivision from residential to agricultural with the intended purpose of using it as a temporary campground when car races were going on in the area. Chairperson Adank further explained that the purpose of the meeting was to allow residents to provide input, as the town board was required to weigh in on the proposal, by either supporting it, taking no position on it or opposing it. As has been done in the past, per Chairperson Adank, the town board would receive input

from the neighboring landowners and other residents and allow that to guide the decision-making process.

Jonathan Duellman confirmed that the above explanation of S&J's request was correct. He further stated that, once he gets to the point of filing for a conditional use permit and campground permit, additional requirements could be imposed by zoning, such as bringing in portable toilets. He stated that he had not thought about the layout or design because if the land does not get rezoned, it does not pay for him to do anything. He noted that there is a field owned by Bob Timm that would allow access to the proposed rezone area but he had not talked to Mr. Timm further about using that way to access his property.

Attendees were asked to provide input on the request. Addresses of those providing input are included to differentiate the proximity of those who commented in relation to the proposed project (i.e. who is a neighbor and who is not):

- **Juel Gundersen, S2916 Haney Drive:** He lives on Haney Drive and one of the fields of the proposed rezone area goes by his driveway. He has two small children and Duellman's have been driving through there all winter long. He moved to that subdivision because it is nice and quiet and he doesn't want any more traffic than there already is, as it will take away from the value of his home. He would not want his children out there when the races were going on if a campground were allowed to be built in the proposed rezone area.
- **Dan Murphy, W1137 Pine Street:** Dan asked whether there would be one way into the proposed rezone area or a loop. Mr. Gunderson's back yard and Mr. Murphy's back yard meet. Both he and Mr. Gundersen have animals. He would not want multiple entrances to the proposed rezone area. Mr. Murphy later stated that his house was built 25 years ago knowing that the racetrack was there.
- **Lynette Sweazey, S2806 State Rd 35:** She understands that everyone wants their privacy, but feels a campground could be great for the community, especially when businesses are struggling. Chairperson Adank explained that the request was for a temporary campground only when the races were occurring, not a permanent, year-round campground.
- **Robert Timm, co-owner of Mississippi Thunder Speedway, S2898 State Rd 35 (via phone call):** Mr. Timm was not able to attend the meeting but did provide feedback to the town in advance of the meeting, which was shared by Chairperson Adank as follows: The speedways' biggest event to date was held in May of 2022 where they had 185 campers. With that number of campers, the speedway was nearly at seating capacity. With the proposed new campground area in the lot adjacent to the MTS parking lot, there would be room for 350-500 campers, which would put them over capacity for the races. Therefore, in Mr. Timm's opinion, it would not seem necessary to have a temporary

campground. Mr. Timm also stated that he would not give S&J permission to use his property as an access point to the proposed rezone area.

- **Bruce Malotke, S2842 Red Cedar Lane:** Mr. Malotke stated that if this campground were allowed in addition to the MTS campground area, Merrick State Park and the campground in Eagle Valley, then he wanted to get out of town. Bruce later stated that there were other roads in the town that needed work more than the road leading to the proposed rezone area.
- **Ron Haney, W1140 Pine Street:** Mr. Haney stated that he still cannot figure out what they would do for a road in that area since there is 20 feet of road and 20 feet of road right of way on either side of the road, plus the existing road is in the wrong location and should have been moved years ago. He also feels that the MTS proposed campground area has a lot of space and there is no need for more camping. Chairperson Adank stated that Pine Street is already a town road.
- **Craig and Melissa Baker, W1136 Pine Street (via letter):** Craig and Melissa Baker were not able to attend the meeting, but provided a letter to the board outlining their concerns, summarized as follows:
 - When they purchased their property, they did so knowing that the land behind and beside their property was residential, thus it should remain residential.
 - They chose this neighborhood due to its privacy. Having strangers at the property line does not keep the area private.
 - If the land is rezoned and used for a campground, it will cause increased traffic and the only current legal access to the property is on Pine Street, which goes directly through a residential housing area.
 - The roads leading to the proposed campground area were not built to withstand frequent use by multiple large vehicles. The roads will become rough and cost the township increased costs in fixing them.
 - The neighborhood is calm, quiet and safe and neighbors are cautious of children and pets. Strangers would not be as cautious.
 - Partying, drinking and being loud can come along with large groups of people gathered in an area, such as a campground.
 - The security of persons and property would potentially be threatened with an increase of strangers to the neighborhood. When you have homes and not campers, you get to know your neighbors and become comfortable with home occupants. This does not happen with campers.
 - With increased campfires comes the risk of fire hazards which could threaten their homes and properties; the prairie can be windy and is usually dry.
 - Once the land is rezoned to agricultural, the landowners could attempt to use it for another purpose and open a host of problems for the neighborhood, decreasing the value of their homes.

- If the rezone occurs, the Town of Milton loses more land that could be used for housing which is something that we need in our small community

Jonathan Duellman clarified that when the land was not being used for a temporary campground, it would be used for agricultural uses. He also stated that S&J Properties owns a 65-70' access to the proposed rezone area on the south entrance to Haney Road, which is currently planted with crops but which could be a road. Upon questioning by the Town Clerk, he confirmed that his May 17, 2022 e-mail explanation of the intended changes to the property should be incorporated into his explanation of the proposed development/land use on the Town Acknowledgement Form.

Chairperson Adank reiterated that the town did not get into the business of zoning and that the board had three choices: support, take no position or oppose the project. He further stated that he gives more weight to the feedback from the neighbors in the Pine Street area and is concerned about the lack of need for more camping, lack of appropriate access to the campground and strong opposition from the neighbors directly in front of and adjacent to the proposed rezone area. Supervisor Jensen made a motion to oppose the project, noting that she can hear the races from her house and "God forbid" if it gets any louder. Supervisor Jandl seconded the motion. Additional discussion: Chairperson Adank referenced the letter from the Bakers and further noted that there is an unpaved town road leading to additional lots that were previously plotted out, indicating a prior plan to do a residential buildout in that area, such that the homeowners in that location had an expectation that those lots would be residential. No other discussion. Motion passed 3-0.

Following the vote, Jonathan Duellman asked what the town would do to make the lots more affordable so that he could sell lots for residences. Chairperson Adank stated that developer are responsible for building the roads as they do the development. Mr. Duellman replied that if a single developer builds all the homes, that might work because they can use the profits from building for the roads, but that he doesn't intend to build all the homes. Chairperson Adank stated that the rules of the town are not going to change because a developer purchases the property and wants the town to pay for the roads. Chairperson Adank stated that he doesn't think the town has paid for new town roads. Mr. Duellman stated that the new road standards that were put in place are based upon highway standards and Chairperson Adank corrected him, stating that they were based upon town road standards. Mr. Duellman expressed concern about corners possibly being cut in other developments as evidenced by concerns about turnarounds in cul-de-sacs. Chairperson Adank redirected Mr. Duellman, stating that it appeared as though the discussion was veering from the agenda. He offered to place an agenda item on the next agenda. Clerk Engel offered to provide Mr. Duellman with information the town board receives from state and federal funders which could provide some grant funding for possible residential projects. Mr. Duellman agreed to receive the offered information.

Multi-Hazard Mitigation Plan Resolution: Supervisor Jensen moved to approve the resolution; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Alcohol, Operator's and Cigarette Licenses: Clerk Engel explained that the license requests were separated into different categories due to the anticipated abstention by Supervisor Jandl on any licenses relating to the business he owned.

- Motion by Supervisor Jensen to approve granting a "Class B" Intoxicating Liquor and Class "B" Beer Combination license to Bar Creations, LLC, AGENT: Jeffrey Jandl, d/b/a Bay's End, S2931 Indian Creek Road, Fountain City, WI 54629; seconded by Chairperson Adank. No discussion. Motion passed 2-0 with Supervisor Jandl abstaining.
- Motion by Supervisor Jandl and second by Supervisor Jensen to approve granting "Class B" Intoxicating Liquor and Class "B" Beer Combination licenses to MAD Enterprizes, LLC d/b/a Drift Inn, AGENT: David Barnhardt, S2945 Indian Creek Road, Fountain City, WI 54629; Mississippi Thunder Speedway, Inc., AGENT: Debra Hund Morem, 2895 Highway 35, Fountain City, WI 54629; and Roadhouse Bar & Grill, LLC, AGENT: Lynette Sweazey, S2806 State Rd 35, Fountain City, WI 54629. No discussion. Motion passed 3-0. Motion by Supervisor Jensen and second by Chairperson Adank to approve granting Operator's Licenses to the following individuals: Katherine Halling, Mackenzie Robbins, Mary Engler, Emily Jandl; Jackie Mueller, Jeana Becker, Mara Fenske. No discussion. Motion passed 2-0 with Supervisor Jandl abstaining.
- Motion by Supervisor Jandl with second by Supervisor Jensen to grant Operator's Licenses to the following individuals, contingent upon receiving either a certificate for completion of a responsible beverage server course or a valid operator's license from another jurisdiction: Michelle Kalmes, Elliana Hutmacher, Paul Sweazey, Nicole Weiss, Shawn DuBois, Jessica Tekippe, Eryn Englund, Donna Schively, Sara Darland, Robert Timm, Hailey Towner. No discussion. Motion passed 3-0.
- Motion by Supervisor Jandl and second by Supervisor Jensen to grant a Cigarette License to MAD Enterprizes, LLC. No discussion. Motion passed 3-0.

ARPA Expenditures: Supervisor Jandl moved to go forward with the installation of the iron filtration system by Schaffner Plumbing at a quoted cost of \$4,400. Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Recycling/Garbage: The BBCM Meeting is on June 9th. Chairperson Adank will have an update at the July meeting.

Roads and Bridges

- **Alfred Drive Turnaround:** Following the May meeting, Chairperson Adank considered the town's history on road construction and determined that we should treat a request for a turnaround like any other road project, by first inquiring whether the developer/landowner would like to construct the road and then deed it over to the town. Chairperson Adank spoke with the land co-owner, Colleen Kelly, and she stated that the owners were not interested in constructing a turnaround, as there is already a roundabout

on the roadway and they do not see a need for another one, nor are they interested in selling their property. Chairperson Adank then contacted the requesting party, Steve Popp, to explain the process and that the town does not intend to look into the matter any further.

- **Other roadwork:**

- Canada Ridge Road: Chairperson Adank submitted a grant application under the Bipartisan Infrastructure Law for 1.25 miles of Canada Ridge Road. He worked with the DOT to calculate the costs, which totalled \$345,000. If awarded, the federal share of the cost would be \$276,000 and the town share of the cost would be \$69,000. The reason the cost is so high is that the design and engineering cost are extremely high for federal projects. He noted that there is another round of funding for similar projects which will be made available next year.
- Prairie Moon Road: Jack from Scott Construction suggested that Prairie Moon Road receive additional fill prior to chipsealing, which Paul Duellman will handle. There is no set time for the start of the chipseal project, except that it will not be in June. Paul Duellman will take care of the signage that is required by the township.

Announcements: None

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:51 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
July 13, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on June 8, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl and Clerk Kalene Engel present. Treasurer Jane Baures was absent with prior notice to the board. Also present were eight community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the June 8, 2022 Town Board Meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Consideration of Notice of Claim and Claim of Steven J. Duellman against the Town of Milton, received June 2, 2022: The claim made by Mr. Duellman is being reviewed with legal counsel.

Operator's License Application for Jamie Isakson: Supervisor Jensen made a motion to grant an operator's license to Jamie Isakson; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Facility Use Agreement with Winona State University for Bridges: Winona State would like to use the town hall again for its free weekly Bridges Health Clinic; this would be the third year that it has offered the clinic. Chairperson Adank observed that the clinic is a great program for the community. Supervisor Jandl moved to approve the agreement; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

ARPA Expenditures Past and Future: Schaffner Plumbing is still waiting for a few parts for the iron removal system. Clerk Engel noted that the second payment had been received. She will provide an update on remaining funds at the August meeting.

Recycling/Garbage: Chairperson Adank attended the BBCM Meeting in June. The key takeaway from that meeting was that there is a lot of uncertainty surrounding the recycling program at Buffalo County due to a new board and new county administrator. The uncertainty is to the point where Buffalo County may exit the recycling business which would mean that the municipalities would be the responsible unit of government for recycling. Waste Transport will still be taking over the operation of the BBCM facility. Due to some delays in the contracts, it is

anticipated that the takeover will start on October 1st. Each municipality will have to sign an agreement for this to occur.

Roads and Bridges:

- Summer Road Maintenance: There is no exact date on the start of the chipseal project on Prairie Moon Road, but it is expected to start at the end of August or early September. Buffalo County did a study on the size of culvert needed on Canada Ridge Road for the cattle pass. The water study supported a culvert of 18", but the county suggested a culvert of 24". This project can be considered at the 2023 Road Survey Meeting.
- Request for an Exception to Town Road Ordinance for Pine Street Extension: Jonathan Duellman is requesting that the town make an exception to the existing road ordinance to allow him to construct a road with a 10" base and the statutory width for a town road. Mr. Duellman did some research on what other developers did with roads when they developed land. He stated that, up until Rich Ernst did his development (Fern Circle), every developer had constructed a gravel base and then the town took the road over. For example, when Ralph Bechly did his development, per Mr. Duellman, the minutes reflect that the town took over the roadway after Mr. Bechly had laid an 8" base. Mr. Duellman's assumption is that, until the previous roadway ordinance was changed to require blacktop, the town took over a roadway once it was graveled. Mr. Duellman also measured the surface width of roadways in the township and found that there was a wide variance, from 14' to 19-20' in width. Mr. Duellman stated that the current roadway ordinance requires a 17.5" rock base, whereas Mr. Ernst thought that his base was, at most, 10". Further, the required width of the roadway per the existing ordinance is now 4' wider (22') than the widest road he found in the township. The extra width and depth adds to the cost of the road construction; however, Mr. Duellman did not have costs available on the difference in cost if the road was built per the ordinance or as Mr. Duellman was requesting.

Chairperson Adank reviewed the history of the current roadway ordinance, noting that the town's attorney reviewed several other township roadway ordinances and drafted the existing ordinance consistent with what he found in other town's ordinances. After the ordinance was drafted, Chairperson Adank showed it to Highway Commissioner Bob Platteter, who said it was reasonable. He noted that certainly, as time goes on, standards change—so the fact that the standards require more than standards from 10, 20 and 30 years ago is not surprising. He further noted that when the town takes over a new road, they want to make sure that it is built to last, especially considering the cost of road construction.

Having said all that, Chairperson Adank also noted that he was not opposed to looking at an exception to the ordinance for an extension to the Pine Street Subdivision, given the expected level of traffic on that road. He suggested that Mr. Duellman come back at the

August meeting with information on the cost differential between a road built to the current ordinance specs and a road built with specs proposed by Mr. Duellman.

- Request for Town to Grant Exception for Timing of Township Responsibility for Road Maintenance: If/when Mr. Duellman constructs a roadway in the Pine Street Subdivision, he would like the town to take over the responsibility for winter snowplowing once it is gravelled. He feels that this is what was done for Rich Ernst in the Fern Circle Subdivision and states that the town minutes reflect this. Chairperson Adank stated that he knows for a fact that Mark and Shelli Brone (who were some of the first residents in that subdivision) were required to hire a private contractor to plow the road until it was blacktopped and the town took it over. Other concerns were raised about who would be liable for any accidents, what would be the incentive for Mr. Duellman to complete the blacktopping and how this would open the door to others wanting the town to maintain their private property. Mr. Duellman later stated that another reason for wanting the town to performance winter maintenance is that the road would then be eligible for grant funding.
- Request to Apply For Grant Funding for Pine Street Roadway Extension: Mr. Duellman reviewed the information on grants that had provided to him by Clerk Engel. He also spoke with various individuals at the state. He would like the town to submit an application for LRIP or STP funding for a Pine Street roadway extension. Chairperson Adank stated that the town had received LRIP funding for Canada Ridge Road project and had submitted an application for STP local funding. While discussing the project with the DOT, Chairperson Adank learned that the STP grants are very competitive and the likelihood of being awarded funding is very small. He further noted that he would prioritize existing township roadways for any grant funding and that there are restrictions on what LRIP funding could be used for. Mr. Duellman stated that his research disclosed that funding could be used to blacktop or improve gravel roads, so Chairperson Adank stated that he would be willing to review Mr. Duellman's research.

Announcements:

- The Buffalo County Unit Meeting is on July 18th at the Town of Cross Hall.
- Senator Jeff Smith sent a letter in response to our MFL resolution and stated that he supports prohibiting out-of-state landowners from enrolling in MFL as well as allowing counties to restrict the number of acres that can be placed in MFL.
- The Fountain City Fire Association Meeting is at the end of July.

Other:

- Ron Haney noted that an ATV driver was operating on Pine Street at much greater than the 35 mph speed limit for ATVs. He was instructed to call the Sheriff if future violations occurred.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:31 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
August 10, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on August 10, 2022 at 6:02 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl and Clerk Kalene Engel present. Treasurer Jane Baures was late due to a car accident which blocked her route to the town hall. Three residents were present at the start of the meeting; two additional residents arrived later.

Informal Public Comment:

- Clerk Engel commended the town election officials for the terrific job they did at the August 9th primary election.
- Supervisor Jandl reported on the Fountain City Fire Association (FCFA) Meeting he attended recently. FCFA purchased a brush truck and plans to purchase a water tanker truck next year for a cost of \$250,000 to \$300,000. At least \$100,000 of the purchase price will be covered by savings and the sale of the old truck, leaving the town's responsibility at no more than \$50,000. The purchase of a weather fire siren was pushed to the January 2023 agenda. Due to benefits received by the City of Fountain City as a result of the spring that was fixed during the construction of the new fire station, FCFA will not be required to pay sewer bills. The easement for the property will be revised and signed.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the July 13, 2022 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Introduction of Ryan VanDeWalle, Buffalo County Coordinator: Mr. VanDeWalle started in November of 2021 and worked with Sonja Hansen for approximately five weeks before she retired in December. He grew up in Green Bay, attended St. Norbert College and recently got his Masters Degree in Public Administration and Businesses. He worked for four different municipalities before starting at Buffalo County. To keep the municipalities in Buffalo County better informed, he started a quarterly "Buffalo Briefings" publication, where the departments in the county can report on what is happening in the department. One of the biggest challenges facing the county is the budget, as some vendors have tripled their prices. Another significant challenge is attracting and retaining employees, as the tax base makes it difficult for the county to offer the wages that other surrounding counties that have higher tax bases can offer.

Consideration of Notice of Claim and Claim of Steven J. Duellman against the Town of Milton, received June 2, 2022: Chairperson Adank expects to have a response from the attorney by the September meeting on this matter.

Consideration of Assessor's Contract: Supervisor Jensen moved to approve the contract with Kleven Property Assessment Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

ARPA Expenditures Past and Future: Schaffner Plumbing installed most of the iron removal system on Monday but it is not yet hooked up. It should be hooked up by the September meeting.

Recycling/Garbage: The BBCM Meeting has been postponed a few times and is not scheduled for next week. The main item on the agenda is the consideration of the contract with Waste Transport.

Roads and Bridges:

- Summer Road Maintenance: The earliest the chipseal will be completed on Prairie Moon Road is the end of August/early September.
- Request for an Exception to Town Road Ordinance for Pine Street Extension: At the July meeting, Jonathan Duellman was asked to come back to the board with the cost differential between constructing the proposed road per the existing town road ordinance versus Mr. Duellman's proposed specs (10" rock base and 2" blacktop per Wis Stat. 82.50(b). Mr. Duellman did not bring the figures, but Clerk Engel located them from a previous e-mail from Mr. Duellman. The cost to construct per the existing roadway ordinance, based upon estimates from Monarch Paving (\$144,344) and Reglin and Hesch (\$85,852) would be \$230,196. Since Mr. Duellman is not asking for an exception to the blacktop depth, the difference in price would be due to the reduction in rock base from 17" to 10", which would cut the Reglin and Hesch bill approximately in half. Chairperson Adank's opined that if the difference was only \$5,000, it wouldn't make much sense to consider an exception, but since it was around \$40,000 it was worth considering. Discussion was held on pros and cons of granting an exception, with the following points raised:
 - Roadway standards have changed and evolved over the years and as municipalities have taken a long-range view of the maintenance costs for roadways, the standards have increased.
 - A lesser rock base would mean more in maintenance costs in the long run.
 - The existing roadway ordinance was based upon several other township ordinances. An engineer was not consulted about the ordinance; however, Buffalo County Highway Commissioner was consulted about and endorsed the specifications.

- The previous roadway ordinance did not contain detailed roadway specifications, other than the roadway had to be blacktopped.
- The roadway ordinance was revised at the end of 2021 on the recommendation of the town attorney and in conjunction with the driveway permit ordinance. When the attorney was drafting the driveway permit ordinance, the attorney looked at the roadway ordinance and recommended that it be modernized.
- The roadway ordinance is intended to be a standard for all township roads as it is impractical for the township to develop separate ordinances for each roadway.
- Per Mr. Duellman, Highway Commissioner Bob Platteter has access to engineers who can assess the roadway to make a determination as to the recommended road base. It is unknown whether the engineers would do so for free. Mr. Duellman has not asked an engineer to evaluate the proposed roadway.
- The initial outlay for the roadway would be the responsibility of Mr. Duellman, not the town. But the town would be responsible for maintenance once the roadway was constructed and deeded to the town.

Chairperson Adank offered to do additional research by talking to some road construction companies about the long-term effect of a lesser road base. If the town board wanted to proceed this way, the next step would be to consult with the town attorney to see if an exception to the roadway ordinance was even possible. After discussion, Chairperson Adank was given permission to proceed as noted above. He will bring back information on his research to the next meeting, at which time the Board can decide whether to refer the matter to the town attorney.

Announcements: None.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:47 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
September 14, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on September 14, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures. Also present were seven community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the August 10, 2022 Town Board Meeting prior to the meeting. Supervisor Jandl made a motion to approve the minutes as presented; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Consideration of Notice of Claim and Claim of Steven J. Duellman against the Town of Milton, received on June 2, 2022: Chairperson Adank recited the language from a proposed resolution to disallow the claim. Supervisor Jandl made a motion to adopt the resolution and disallow the claim. Supervisor Jensen seconded the motion. A roll call vote was taken with the following results: Supervisor Jandl: yea; Supervisor Jensen: yea; and Chairperson Adank: yea. The resolution was signed by the three voting members and the clerk. Clerk Engel will serve the notice as required.

Update of Mississippi River Trail: Chairperson Adank has been in discussion with the Department of Transportation (Mr. Schelfhout). The Town of Milton had previously approved a route on Prairie Moon Road and Kamrowski Road but the Town of Belvidere wanted the route to be on Highway 35, apparently because Supervisor Engfer believed that it was a safer route. The DOT has evidence that the "backroads" route adopted by the Town of Milton is safer and has provided that to the Town of Belvidere, which will be reviewing its decision. If the Town of Belvidere changes its route, the Town of Milton does not have to take further action.

Consideration of Operator's License of Courtney Davis: Supervisor Jandl made a motion to approve the application of Courtney Davis for an Operator's License. Supervisor Jensen seconded the motion. Motion passed 3-0.

ARPA Expenditures: The township received \$54,846.32 in ARPA funding and has expended \$41,233.83 thus far, with another \$2,625 pending for the second installment payment on the town promotional video. This means there is approximately \$10,000 remaining in ARPA funds. Projects previously discussed included a storage shed and signage to mark the town hall entrance and town limits. Clerk Engel noted that a storage shed could be used for items that did not need

to be in a heated location (chairs, non-electric election equipment), thereby freeing up other storage inside. Chairperson Adank noted that it would not be possible to do a stick built shed due to the limited funds remaining. Board members expressed interest in having any shed built on a cement slab. Supervisor Jandl will obtain quotes on a cement pad and Clerk Engel will bring information to the next meeting about the cost of a pre-built shed. Chairperson Adank noted that Clerk Engel's computer died and needs to be replaced Although ARPA funding could be used to replace the computer, a recent grant became available to fund up to \$600 of a new computer, so the remaining amount can be funded through existing funds.

Recycling/Garbage Updates: The BBC&M Recycling Committee met on August 16th. Although progress has been made, there are issues between the Village of Cochrane and Waste Transport regarding the language in the land agreement. All municipalities have agreed to aim for a target date of January 1, 2023 to open, with a draft contract for each municipality to review in October. Bag fees for garbage were increased by \$.50 per bag, which is the first increase in 11 years.

Summer Maintenance and Roadwork Projects: Chairperson Adank spoke with Jack Dittmore of Scott Construction who stated that the Prairie Moon Road project would be done on Friday (weather permitting) or Monday.

Consideration of Town of Milton to take over possession of any Pine Street/Haney Drive roadway extension when the road meets road construction standards of Wis. Stat. Sec. 82.50(b) and a minimum rock base of 10" and blacktop of 2": As promised at the August meeting, Chairperson Adank conducted research on modifying our current road ordinance. He spoke with two contractors (Scotts and Monarch Paving) and a representative from the Department of Transportation. Themes that emerged from his conversations were as follows:

- The town has a very good road standard.
- The 10" of base and 7.5" on top of that is desirable.
- All three suggested a 2.5" pavement—as opposed to the current requirement of 2". The recently submitted application for the Canada Ridge Road project included a 2.5" pavement depth.
- Monarch stated that we could extend the life of the road by 5-7 years if we increased the pavement depth to 2.5".
- Scott's was familiar with the history of how municipalities paid for roads and noted that the Town of Milton's model of new road construction funding was very common.
- Monarch noted that when the rock base is not good, further improvements to the road become simply a "bandaid" solution, citing the current work that they are doing on Highway 37.
- Monarch recommended considering 3" of pavement, in two flights. That way, when the roadway needs to be reconstructed, the top 1.5" could be reconditioned as opposed to the entire depth of pavement.
- The Department of Transportation representative stated that, for lightly traveled roads, 2" might be ok; 2.5" is better and 3" is probably not necessary.

Chairperson Adank noted that we now had opinions and advice from five different people that the current road standards were reasonable: the town attorney, the county highway commissioner, Monarch, Scotts and the Department of Transportation. He believed that the current standard was a good one and there was no reason to deviate. He noted that, if the board decided it wanted to vary the standard, the next step would be to speak with the town attorney to see if the ordinance could be changed. Conversely, if the board members did not want to change the standard, no action would need to be taken. None of the board members brought forth a motion to approve a variance to the existing ordinance. Mr. Duellman inquired as to whether the town would be bringing the existing roadways up to the current standards. Chairperson Adank stated that maintenance of existing roads was a completely separate issue and not on the agenda.

Announcements:

- The town's application to fund the Canada Ridge Road project was not approved. There were 600 applicants and only 17 projects were funded, none of which were in Buffalo County.
- Clerk Engel received notice that the town website would need to be upgraded. She is working with the vendor to see if the upgrade can be done at no cost to the township.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:26 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
October 12, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on October 12, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures. Also present were six community members, one of whom left after public comment.

Informal Public Comment: Jonathan Duellman contacted the Wisconsin Department of Transportation about specific build requirements on sandy soil. He stated that the DOT sent documents specifying a 10" depth and advised him to contact the County Highway Commissioner, who also confirmed that the specs were substantial and adequate. He then contacted a paver who stated they go by DOT and County standards. They warranty their pavement for 1 year and that warranty does not increase if the rock base increases. The paving company stated that the road should not need any maintenance prior to 20 years. Mr. Duellman provided documentation of his contacts to the board and recommended that the board look into the standards, noting that it should not take a "cookie cutter" approach. He stated that the road standards are overpricing lot development within the township.

Rita Bechly asked for clarification on the Notice of Claim from Steven Duellman that was disallowed by the town board at the September meeting. Clerk Engel explained that she had received a Notice of Claim from Mr. Duellman, claiming that the town should pay his attorneys' fees from the district court lawsuit by the town against Mr. Duellman for the road right-of-way obstruction.

Bills: Bills were presented. Supervisor Jandl made a motion to approve payment of all bills submitted. Supervisor Jensen seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the September 14, 2022 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Operator's License Application of Brandi Joswick: Supervisor Jandl moved to grant an Operator's License to Brandi Joswick; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

Set Date for Budget Hearing & Special Meeting of Electors re: Levy Approval: Supervisor Jensen moved to set the two meetings for the same date as the next town meeting, which is November 9th. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Mississippi River Trail Designation: Chairperson Adank recapped the history of the MRT designation. In February, the town board designated the trail on Prairie Moon Road and

Kamrowski Road because the Department of Transportation data indicated that this was a safer route than Highway 35. However, since the Town of Belvidere does not want to approve a route which includes Prairie Moon Road, the currently approved routes do not connect. Therefore, in order to provide a continuous route, the DOT is requesting that Milton approve Highway 35 as the route. The revised resolution has a paragraph to repeal the previously approved resolution. Supervisor Jensen moved to approve the resolution; Supervisor Jensen seconded the motion. No discussion. Motion passed 3-0.

PYAA Request for a Pepsi Machine outside Town Hall: Chairperson Adank was contacted by the PYAA Sports Director asking if the town would consider allowing a Pepsi machine outside the town hall as a form of fundraising for the group which the PYAA would manage and Pepsi would stock. Chairperson Adank suggested that the Sports Director talk to the PYAA Board first and then report back to him. Since that time, Chairperson Adank has not had further communication with the Sports Director, so there the board doesn't need to take action. It was noted that we do not have any electricity to the outside of the town hall and the location doesn't seem appropriate for a pop machine.

Consideration of website upgrade: Town Web Design is discontinuing support for our existing website, so the town will need to upgrade the site if it wants to continue receiving support. The cost to upgrade is \$399, which is a discount from the normal fee due to a mixup in upgrade offers that occurred earlier this year. Clerk Engel showed print screens of the website designs she would recommend. Supervisor Jensen moved to authorize the website upgrade. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

ARPA Expenditures:

- **Promotional Video:** Clerk Engel spoke with David Taylor about his progress on the promotional video and photos and he provided her with a link to a Google drive to the photos and videos he had completed to date. She showed a video and several photos. Mr. Taylor plans to complete the photos this month and should have something for the board to review at the November or December meeting.
- **Storage Shed/Cement Pad:** Clerk Engel has obtained quotes for several different sizes of shed. After extensive discussion, the consensus of the board was to get as large of a shed as we could for approximately \$5,000. Supervisor Jandl spoke with Mr. Kohner about concrete prices, but did not speak to a concrete installer. Supervisor Jandl moved to authorize the expenditure of up to \$5,000 on a shed and up to \$3,000 for labor and concrete. Supervisor Jensen second the motion. Clerk Engel asked for clarification on the location of the window. No additional discussion. Motion passed 3-0. Chairperson Adank will contact a concrete installer to find out availability to complete the job in the near future. Clerk Engel will work with the shed supplier to place an order for the shed.
- **Back Door Lighting:** The back door already has a light.

- **Security Cameras:** Supervisor Jandl will look into possibly security system setups and report back at the November meeting.

Recycling/Garbage Updates: No updates.

Summer Maintenance and Roadwork Projects: The chipseal work by Scott Construction was completed and looks good. Paul Duellman will take care of the holes that were brought to his attention by the Guenthers.

Announcements:

- The Buffalo County Unit Meeting is on October 17, 2022
- .

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:46 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
HEARING ON 2023 BUDGET
November 9, 2022

Supervisor Jeff Jandl called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on November 9, 2022 at 5:45 p.m. Seven community members were present.

Presentation and discussion of the proposed 2023 Town of Milton Budget: Clerk Engel presented the proposed 2023 town budget. There were no questions.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed unanimously. Meeting adjourned at 5:52 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
SPECIAL MEETING OF ELECTORS
November 9, 2022

Supervisor Jeff Jandl called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on November 9, 2022 at 5:52 p.m. Eight electors were present.

Resolution to approve tax levy: Proposed Resolution No. 2022-07 to approve the 2022 tax levy (payable 2023) in the amount of \$85,629 was presented and reviewed. Jane Baures moved to adopt the proposed resolution setting the tax levy at \$85,629. Kalene Engel seconded the motion. No discussion.

8 Town electors voted aye

0 Town electors voted nay

0 Town electors abstained

Motion to adopt resolution passed.

Adjournment: Pam Jensen moved to adjourn the meeting. Jeff Jandl seconded the motion. No discussion. Motion passed unanimously. Meeting adjourned at 5:53 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
NOVEMBER 9, 2022

Supervisor Jeff Jandl called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on November 9, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Clerk Kalene Engel and Treasurer Jane Baures present. Chairperson Ben Adank was absent with prior notice to the board. Also present were six community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jensen made a motion to approve payment of all bills submitted. Supervisor Jandl seconded the motion. No additional discussion. Motion passed 2-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the October 12, 2022 Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 2-0.

Approval of 2023 Budget: Supervisor Jensen made a motion to approve the 2023 Budget (attached). Supervisor Jandl seconded the motion. No discussion. Motion passed 2-0.

Consideration of the BBCM Agreement with Waste Transport: Supervisor Jensen made a motion to approve the agreement. Supervisor Jandl seconded the motion. Motion passed 2-0.

Update on website and promotional video: Clerk Engel showed the new website that was launched on November 9th and that the promotional video is not yet complete.

Roads/Bridges: Remaining maintenance work includes some mowing.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 2-0. Meeting adjourned at 6:03 p.m.

Minutes by Kalene Engel, Town Clerk

MINUTES OF THE TOWN OF MILTON
TOWN BOARD MEETING
December 14, 2022

Chairperson Ben Adank called the meeting to order at the Milton Town Hall, S2794 State Road 88, Fountain City, WI 54629 on December 14, 2022 at 6:00 p.m. with Supervisor Pam Jensen, Supervisor Jeff Jandl, Clerk Kalene Engel and Treasurer Jane Baures present. Also present were five community members.

Informal Public Comment: None.

Bills: Bills were presented. Supervisor Jensen made a motion to approve payment of all bills submitted. Supervisor Jandl seconded the motion. No additional discussion. Motion passed 3-0.

Approval of Minutes: Clerk Engel distributed the draft minutes from the November 9, 2022 Budget Hearing, Special Meeting of Electors and Town Board Meeting prior to the meeting. Supervisor Jensen made a motion to approve the minutes as presented; Supervisor Jandl seconded the motion. No discussion. Motion passed 2-0. Supervisor Adank abstained because he was not at the meetings.

Preview of promotional video: David Taylor of House Hike Drone created a draft version of the promotional video that he had been contracted to complete earlier this year. The video contained both drone footage and still photography and highlighted many of the activities and attractions in the township. All attendees were very impressed with the video. He will add some additional footage before finalizing the video.

Provide Direction of Website Content: Clerk Engel has been making updates to the new town website and has requested guidance on what the town board would like posted on the website (much like what was done with the Facebook posts previously). Attorney Loberg was consulted and provided a list of recommended content. Supervisor Jensen made a motion to approve Resolution 2022-08 relating to the content to be placed on the website. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Clerk Engel will modify the website accordingly.

Consideration of Road Maintenance Contract: The road maintenance contract with Louis Earthmoving is up for renewal soon. Chairperson Adank discussed a new contract with Paul Duellman and Attorney Loberg. The proposed contract essentially maintains the same terms and annual increases in hourly rate as the current contract. Board members agreed that Louis Earthmoving has done a great job with the roads, often going above and beyond expectations. Supervisor Jensen made a motion to approve the agreement. Supervisor Jandl seconded the motion. Motion passed 3-0.

Set Date/Time for Caucus: Supervisor Jensen moved to set the caucus on January 11, 2023 at 5:45 p.m. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0.

Recycling/Garbage Update: When Clerk Engel last checked, all involved municipalities other than the Village of Cochrane had signed the agreement with Waste Transport. Once the

agreement is fully signed, she expects to receive information on the dates and times that the center will be open and will post that information on the website.

Roads/Bridges: No updates.

Announcements:

- A resident had inquired about using the town hall for a private party. The board previously decided that the town hall could only be used by non-profit organizations and community groups and that information is contained on the website. The hall has been well-utilized by those groups and there is no desire to expand that use to private parties.
- Bridges Health will start back up after the 1st of the year. Clerk Engel will post the dates and hours of operation.
- Food from the food shelf is available at the town hall. When Bridges is not there to distribute the food, anyone wanting to pick up some prepackaged food should reach out to a board member. Additionally, anyone who resides in Buffalo County can access the St. John's Food Shelf when it is open.
- The new shed arrived and looks great!
- Thank you to Paul Duellman for the extra efforts he took to fix our septic issues. He took the time and initiative to come up with a creative solution which will hopefully resolve the issues we have had with the septic tank freezing.

Adjournment: Supervisor Jensen moved to adjourn the meeting. Supervisor Jandl seconded the motion. No discussion. Motion passed 3-0. Meeting adjourned at 6:17 p.m.

Minutes by Kalene Engel, Town Clerk