

Minutes of the Regular Monthly Board Meeting of the Township of Spring Green

Proceedings of the Town of Spring Green Regular Board Meeting, held at 7:05 pm on Thursday, February 2, 2017 at the Town Hall located at E4411 Kennedy Road, Spring Green, and Wisconsin:

1. **Call to Order:** Kevin Lins, Town Chairperson called the meeting to order at 7:05 pm.
2. **Legal Posting:** Jenny Pappas, Clerk certified compliance with the open meeting law.
3. **Roll Call:** Members present were Chairperson Kevin Lins, Supervisor Dave Radel, Supervisor Mike Bindl, Clerk Jenny Pappas and Treasurer Karen Shelton. Also present were: Bill Mertens, Doug Jones, Carla Carmody, John McKenna, Michelle Thomas, Mike Birr, Fred Iausly, Irene Golembiewski, Mike Eppley, Kolby Hirth, Patty Brooks, Marian Copus and Judy Ettenhofer.
4. **Adopt Agenda:** Radel moved and Bindl seconded to adopt the agenda as presented. Motion carried.
5. **Approve Minutes:** Bindl moved and Radel seconded to approve the minutes of the January 5, 2017 Regular Board Meeting as amended and the January 14, 2017 Public Caucus as presented. Motion carried.
6. **Treasurer's Report:** Shelton reported beginning balance of \$167,779.14 with receipts of \$1,348,406.91 and disbursements of \$1,104,685.61 leaving a balance of \$411,500.44. Radel moved and Bindl seconded to approve the Treasurer's Report as presented. Motion carried.
7. **Monthly Bills/Invoices:** Radel moved and Bindl seconded to approve the monthly bills/invoices for payment as presented. Motion carried.
8. **Chairperson & Supervisors Reports:**
Chairperson's report/Kevin Lins:
 - January 7th : Sent an email to both Mike and Dave asking them to visit the homes of Mark Berg and Mike Eppley to see the ash on the ground and to show they are concerned. I gave them the addresses and phone numbers and suggested they call first to make sure they were home. Dave followed up with an email the next day saying he visited both places.
 - January 9th : Had a neighboring Township Chairman call and stated he had residents following what the Spring Green Township was doing regarding broadband and wondered if they could have two people sit in on any committee meetings regarding this and listen to how we were going to try to accomplish this. I told him we were just getting started and didn't even have a committee yet and didn't know who would lead it and whether they would be open to that idea. Last week, I had a conversation with a person from a business in a different neighboring Township wondering how close we were to getting something done and how he/they were not satisfied with the speed of their broadband. Yesterday, I received an email from the UW-EXT with multiple links, but one showing how a single man got a broadband grant to put up his own 180' tower to serve people in a 4 mile radius and formed his own LLC to do it.
 - Mid January: Brad informed me the night light wasn't working at Laudon Park and that he thought Alliant Energy put it in, so he didn't know who was supposed to fix it. I contacted Chris Wilhelm from Alliant's Spring Green office and inquired about the light. He stated it was a 100 watt high pressure sodium that Alliant installed without a meter and just bills the Town each month and they would check it out.
 - I had a person call about setting up a stand to sell fireworks in the Town. I directed him to call Fred
 - January 12th : I read, revised and approved a letter from the Town's attorney Natalie Bussan to the Village of Lone Rock about the fire continuing to burn at the Village of Lone Rock Recycling Center. This letter was then sent out via email and registered mail to the Clerk for the Village of Lone Rock. This letter suggested "that a representative from the Village meet with Town Chair Kevin Lins to discuss a resolution to this matter as soon as possible." To date, no representative from the Village of Lone Rock has contacted me for a meeting.
 - January 14th : Attended the Town caucus and will be on the ballot for Chairman in the April election.
 - January 18th : Got a response back from Van Nelson, Town of Buena Vista Clerk through an email to Mike Bindl about County Line Road. "Mike, after due consideration, discussion with our township Contract Operator and looking at the lengths of roadway from our DISLR map it was decided by the Buena Vista Town Board that there would be no reimbursement for County Line Rd. to the Town of Spring Green. Sincerely, Van Nelson Town Clerk" 543.6' at \$9909.83
 - January 20th : Received an email from Sadie Derouin, Environmental Enforcement Specialist from the Bureau of Law Enforcement for the WDNR with a copy of a NOV concerning the recent wood burning activities at the Village of Lone Rock Recycling Center located in the Town of Spring Green. The NOV was hand delivered on January 19th by Conservation Warden David Youngquist of the Bureau of Law Enforcement for the WDNR to Esther Marshall, Treasurer for the Village of Lone Rock. The NOV was addressed to Dean Ewers, President Village of Lone Rock.

- January 24th : Received a letter from Blackstone Technologies indicating their previous contact information sent out was in error and provided updated information. I passed this on to Brad. BST-360 High Performance Patch Mix
- January 26th : Received an email from Mile Koles with WTA about a new email scam. The next day, I received a forwarded email from Mike Bindl where the Richland County Clerk indicated it had happened to him.
- January 27th : Received a forwarded email from Fred Gruber of Jewell Associates that he received from Amanda Bowen regarding the Town's offer to purchase property from Luther Family Farms LLC. Amanda is an attorney and also the Registered Agent for the Luther Family Farms LLC. The letter contains a counteroffer and will be discussed in closed session later.
- January 27th : Received an email from Mike Eppley requesting to speak about the LR fire at the February Town meeting. This is on the agenda for later.
- January 27th : Contacted Linda Lee of the Sauk County Sheriff's Department Detective Division and ask for any reports related to the LR fire. I was emailed a copy.
- January 30th : Met Brad at Simpson's Ford in Richland Center and looked at a tractor. This appears to be the closest yet to what Brad is looking for. We do not have a price yet.
- January 31st : Natalie sent out letters on behalf of the Town to four individuals requesting that they pay past due personal property taxes plus interest by February 28th, 2017 to avoid further collection action.
- February 1st : I had a meeting with Spring Green Fire Chief Lin Gunderson at the Spring Green Fire Station and showed him the letter I received from the Village of Lone Rock Clerk and asked for his opinion on it and also got some information about the fire at the Village of Lone Rock Recycling center from his perspective. I then attended a joint meeting of the Village of Spring Green Sanitation and Recycling Committee and the Spring Green Township where we discussed the Lone Rock incident and how that might affect future regulations and or permits passed by the Town which would also affect the Joint Recycling Center between the Village of Spring Green and the Town of Spring Green.
- February 2nd : Sent an email to Madeline Gotkowitz, Hydrogeologist from the Wisconsin Geological Survey, and asked she had any updated data from SG-1. (Jones Road)

Supervisor Report/Dave Radel:

- January 8th : Met with Mark Berg and Mike Eppley in regards to the burning conducted by the Village of Lone Rock at their dump site located in the Town of Spring Green. The smoke was still heavy five days after the fire was started. I observed the soot that was present in both yards of the residents. Mark took me on a walking tour of the burning site. I observed many large tree stumps and roots that were still burning. When I met with Mike at his home he was running an air purifier because of the smoke he received in his home.
- January 10th : Received an email from a resident of Rolling Ridge questioning if it was legal for a neighboring resident to be shooting trap. I asked what the back drop was and if they could tell me how many feet away this was happening. I received no email back regarding these two questions – I suggested they contact the Sheriff's Department or the DNR. I did ask that they get back to me but I received no further response.
- January 11th : Received an email from an individual interested in purchasing a lot at the intersection of Kennedy and Dyke Roads. They were looking for information as to any flooding that may have been present in the flood year of 2008. My response was there was no standing water in that area but here were some homes that had water in their basements. I asked that they contact me or the town if any further information was needed; heard nothing back.
- January 16th : Had a conversation with a resident of the town who was telling me of an accident on Kennedy Road. The person involved in the accident was pulling a trailer behind his van and said the accident could maybe have been averted if the town had road signs that were more visible after dark. They were slowing down looking for the intersection when they were hit from behind.
- January 18th : Attended a joint meeting of the PSD Committee and the Village of Spring Green to review the Operating Agreement. The agreement will be followed the same for the next year. The PSD Committee did ask that if there are any needed updates to the Village's sanitary treatment plant mandated by the DNR to let us know ASAP. The PSD Committee was notified by Wendy Crary via email that the DNR has contacted the Village with possible upgrades that may be needed in the near future. This email will be on the PSD Committee agenda for February 13.
- January 26th : Received a call from a resident that is concerned there is no guard rail along the drainage culverts on Kennedy Road. I was told there were skid marks on the icy road that was close to these culverts. He also said that this is not the first time he has observed this. In my response to him I said I brought up this very concern when the ditch was being constructed. I was told no guard rail was needed

because of the set back of the culverts from the road edge. I did tell him I would bring this up in my Supervisor Report.

Supervisor Report/Mike Bindl:

- January Plan Commission meeting cancelled due to inclement weather

9. **Comment from the Public:** John McKenna – zoning non-compliance issues, gun ordinance. Kolby Hirth – updated signage on Kennedy Road.

10. **Reports:**

- Patrolman:** Haas reported working on the following during the month of January: plowing/sanding (have used 552 yards of sand & 13 yards of salt), truck maintenance, mowed big hollow ditch. Haas expressed his deep concern that a resident of the township has been telling others that he has sanded a couple of private drives which is absolutely not true. Haas stated he wanted to bring this up publically and he thanked Kevin for following up with the concern.
- Building Inspector:** Pappas reported the following permits were issued for January: One (1) water heater, One (1) Commercial Remodel and One (1) Basement Remodel.
- Emergency Planning:** No meeting/cancelled due to inclement weather.
- Plan Commission:** No meeting/cancelled due to inclement weather. lausly stated he received a call regarding a request for a fireworks stand in the township off Hwy 14. lausly followed up with Sauk County and the fireworks stand is not allowed per County Ordinance.
- Extraterritorial Zoning Committee:** Initial consultation with a resident in the Beau River Rain subdivision regarding an accessory structure; discussed combination of lots via CSM. Accessory structure would be in the front yard which is not allowed per zoning ordinance.
- Fire District:** Board met on 1/17. Derek Miller reported 353 ambulance calls in 2016; the highest amount since 2008. Two new computers with docking stations were purchased and will be installed in each ambulance. Possible EMT classes to be held in Plain starting in February if there is enough interest. Fire Fighter Certification class starting January 19. The Fire/EMS dance will be held on May 20, 2017. Dave Zwettler was present to answer some additional questions regarding insurance; Zwettler requested the district obtain full replacement values for the fire trucks. Gene Hausner – Village President was present and discussed appointing a replacement for Carol Olson who recently resigned due to illness. Dave Radel was appointed to serve as Fire/EMS board chair; has served on this board for the past 7.5 years.

11. Agenda Items for discussion and/or action by the Town Board:

- Discussion/possible action regarding sale of the LP Tank located at the Town Hall:** Radel moved and Bindl seconded to put the LP Tank out for bids via a Class 1 notice to be published on February 8, 2017; bids to be due by February 28, 2017. Motion carried.
- Discussion/possible action regarding Resolution R-1701 International Migratory Bird Day:** Radel moved and Bindl seconded to approve Resolution R-1701 International Migratory Bird Day as presented. Motion carried.
- Discussion/possible action regarding amended engineering contract with Jewell Associates for Rainbow Road:** Lins stated the amended contract was reviewed by the Town Attorney and she changed a few items. Bindl moved and Radel seconded to approve the amended engineering contract with Jewell Associates for Rainbow Road as presented. Motion carried.
- Discussion/possible action regarding the Lone Rock Recycling Center/Burn Site:** Mike Eppley read a letter he wrote regarding the recent fire at the Lone Rock Burn Site. Eppley stated this has not been a pleasant situation; this was a huge fire and he is seeking a way from this happening again. Eppley asked the Board to consider having a fine for unattended fires. Eppley stated he would like Lone Rock to be held accountable for their actions. Lins re-capped the entire event and showed pictures of the fire along with a police report. Mark Berg stated he was irritated with Adam Reno who told him this was none of his business. Lins stated he spoke with Fire Chief Lin Gunderson on February 1st to get his perspective. Gunderson said they responded to the fire with a 2,500 gallon tanker and Reno was there waiting for them. Gunderson said it would have taken 15 tanker trucks all night long to put the fire out. Lins stated he has been at the site every day since January 4th; the last day he saw it burning was January 24th. Lins stated he talked to Dan Werner and Dave Youngquist of the DNR and they both said they could not yank the permit. Lins showed a letter from Karen Kampen/Village of Lone Rock and read the letter aloud. Lins noted several discrepancies within the letter. Lins reviewed the NOV (Notice of Violation) from the DNR to the Village of Lone Rock. Lins discussed the recent joint meeting between the Township and Village of Spring Green Sanitation & Recycling Committee; if the Township were to shut down the Village of Lone Rock's site, it would also result in shutting down the Kennedy Road site. Lins discussed a potential ordinance with the Town Attorney, which would mirror state regulations. This would result in no changes to the operation at the Kennedy

Road site. Lins moved and Radel seconded to have the Town Attorney come up with an Ordinance regarding Woodburning Facilities. Motion carried.

12. **Convene into closed session**: at 9:50 pm, Bindl moved and Radel seconded to convene into closed session under Section 19.85(1)(e) of the Wisconsin Statutes for "Deliberating or negotiating the purchase of public property or the investing of public funds as competitive or bargaining reasons require a closed session." Roll call vote ayes: Bindl, Radel and Lins. Motion carried.
13. **Reconvene into open session**: Bindl moved and Radel seconded to reconvene into open session at 10:03 pm. Roll call vote ayes: Bindl, Radel and Lins. Motion carried.
14. **Discussion/possible action regarding the Luther Family Farms, LLC Property**: Radel moved and Bindl seconded to authorize Kevin Lins to counter offer up to \$20,000 for the Luther Family Farms, LLC property. Motion carried.
15. **General Public Comment**: There was no general public comment.
16. **Adjourn**: Lins moved and Radel seconded to adjourn at 10:04 pm. Motion carried.