

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 7:00 pm on Thursday, April 6, 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 7:00 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: Brad Haas, Marian Copus, Boyd Gibbons, Gay Gibbons, Michelle Thomas, Denise Lins, Louis Weston, Irene Golembiewski, Carla Carmody, Benny Stenner, Caryl Sprecher, Fred lausly and Shannon Porter.
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 March 2, 2017 Regular Board Meeting as amended. Motion carried.
6. **Treasurer's Report:** Shelton reported beginning balance of \$556,869.14 with receipts of \$16,154.18 and disbursements of \$149,756.70 leaving a balance of \$423,266.62. 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:
 - 3/6: Went with Brad to Simpson's Ford Tractor to look at the tractor and take the loader off and on to see how hard it would be. Participated in a broadband meeting with some Village representatives and others here at the Town Hall
 - 3/14: Attended the Plan Commission Meeting. My interest was in the discussion on the proposed waste burning facility ordinance
 - 3/16: Participated in a broadband meeting with some Village representatives and others here at the Town Hall
 - 3/24: Helped Brad and Bill get the chipper out of a sinkhole in the old Prairie View Subdivision area. Used my forklift, pickup truck and tractor along with some heavy planks and log chains. No pictures per Brad's request
 - 3/28: Received an updated well report from Jenny
 - 4/3: Attended a hearing at the Sauk County Courthouse per Lori Lubinsky's (attorney hired by the Town's insurance company, Rural Mutual to represent the Town) request on the ruling for the motions of summary judgement in the Big Hollow Ditch lawsuit. Since the Judge has been so busy, he wasn't able to provide a written ruling, but instead gave an oral ruling. Judge Guy Reynolds ruled in favor of the Plaintiffs' (Walter and Wilma Joost). The Judge and respective attorneys agreed to cancel the April 28th trial date and re-schedule for July 18th – 21st. I had Lori prepare a statement that I could read tonight. Lori Lubinsky quote follows: "In the Joost case, the Court found that the Town has taken a permanent easement on some portion of Joost property without providing just compensation. The Court noted that the June 2013 water event resulted in water on the Joost property for a significant period of time (it took about 2 months for the water to substantially subside). The Court also relied heavily on the fact that before the storm water drainage system was installed, the DNR told the Town that water would end up on the Joost property, which in the Court's view made the June 2013 water event foreseeable. Finally, the Court noted that it is highly likely that a flooding event will re-occur, since there is nothing that can be done to the storm water detention basin to prevent future flooding events and due to the topography of the land, water will necessarily flow from the DNR property onto the Joost property in times of heavy rainfall or length, significant rain or snow melt events. Because the Town does not have insurance coverage for this claim, the Town will be responsible for the taking found by the Court plus interest and the Plaintiff's attorneys fees. Our attorney will be attending a future closed session Board Meeting to advise the Board more fully and to make recommendations to the Board." End of Lori Lubinsky quote. We have a closed session Board Meeting scheduled here on April 10th to meet and discuss with Lori. The Town will have to borrow money to pay for this and put it on the tax roll. I have asked our Clerk Jenny, to come up with some figures for the Annual Meeting on April 18th that we can present. This will not be an estimate, but what a \$100,000 block of borrowing will do per \$100,000 of valuation at a set interest rate per different time periods to the tax roll. I would like input from tax paying residents on what type of time schedule we should pay this off.

Supervisor Report/Dave Radel:

- 3/21: Spoke with Fred Gruber of Jewell and Associates about the TRIP funding for Rainbow Road. The application Brad and I submitted in the fall of 2015 was questioned by Fred as to how the road was to be rebuilt. The original application that was sent to Sauk County Highway Commissioner Steve Muchow asked that the application be changed from doing a regrind to reflect the rebuild. This change was made and resubmitted and the Town received its grant around March of 2016. Fred told me that a rebuild of a road requires not only grinding of the road surface but to remove and relay the road bed as well. The driving surface would need to be 22' wide with 2' shoulders. Fred pointed out that our application should have indicated resurfacing of the road. Fred is checking to see if the Town can get an exception to the standard issued from the State in a timely order to get this project completed this year. If the Town cannot get an exception to the standard the cost of the project will increase by \$20K. The TRIP money is not in jeopardy unless the Town goes ahead without an approved exception. Fred is checking if we can get this change made. Fred also had the existing road top measured and it measures between 19.5 and 20.5 feet wide.

Supervisor Report/Mike Bindl:

- 3/14 – Plan Commission Meeting

9. **Comment from the Public:** Benny Stenner – asked who pays for a recall election. Boyd Gibbins and Check Tennesen gave a brief presentation regarding Driftless Defenders and their opposition to the proposed Cardinal Hickory-Creek Transmission Line.

10. **Reports:**

- a. **Patrolman:** Haas reported working on the following during the month of March: minimum amount of plowing (have used 637.5 yards of sand to date), cleaned up Cemetery brush, picked trash, met with Scott Construction, will start to work on filling potholes throughout the Township.
- b. **Building Inspector:** Pappas reported two permits were issued for March: One (1) for Terry Shifflet, new pavilion for pond and One (1) for Dave Radel, electrical service for irrigation.
- c. **Emergency Planning:** No Meeting.
- d. **Plan Commission:** Worked on Wood burning Facility Ordinance. Iausly stated he attended the TIF meeting at the Village; it was a good meeting and the plan does address vegetative screening. The next TIF meeting will be at the end of April.
- e. **Extraterritorial Zoning Committee:** No Meeting.
- f. **Fire District:** Held a meeting on March 21. Welcomed new board member Greg Prem. Ambulance report given by Derek Miller. Miller reported there was a startup of a new EMT class in Plain. Spring Green has two students attending. There is an upcoming pediatric assessment class being held May 4th and 9th. Fire Report was given by Mark Baryenbruch. Baryenbruch reported the FF1 beginner fire fighter class is still going on but will be completed soon. The new rescue boat has been ordered and should be here soon. Mark asked the board for permission to use the money from the sale of the old boat and reinvest it into equipment needed to set up the new boat. Permission was granted for this request. The new boat will be on display at the Annual Fireman's Dance on May 20th. Greg brought to the attention that Cardinal will be building near the water tower this summer and the tower will need to be drained until some water lines of the tower are moved. Plans are being made to support the draining of the tower. Next meeting will be on May 16.

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

- a. **Discussion/possible action regarding a Waste Burning Facility Ordinance:** The board reviewed the proposed Wood Burning Facility Ordinance and made several changes to the permit form. It was agreed upon to use Chapter 18 for the proposed Ordinance. Lins stated he would like to meet with the Village Sanitation and Recycling Committee prior to adoption of the Ordinance. Radel moved and Lins seconded to accept the changes to the DRAFT Wood Burning Facility Ordinance. Motion carried.
- b. **Discussion/possible action regarding the purchase of a new tractor and loader:** Lins discussed different loader options available and noted the self-leveling loader is easier to operate and may have more trade-in value. Lins stated they also had a grapple bucket included in the pricing which would cost an additional \$2,500. The board reviewed the different pricing options of two 2017 models and one 2016 model. The 2016 model is available now and the 2017s would have to be ordered and probably would not arrive until fall. Radel moved and Bindl seconded to purchase a 2016 Ford New Holland T4 120HP 665 tractor with self-leveling loader and grapple bucket, contingent upon the Patrolman's approval upon delivery at a cost of \$40,400. Motion carried.
- c. **Set date for Spring Road Tour and Big Hollow Ditch Inspection:** The consensus of the board was to conduct the Spring Road Tour and Big Hollow Ditch Inspection on Thursday, April 13, 2017 at 4:00 pm. No action taken.

- d. **Annual Meeting – Tuesday, April 18, 2017**: No action taken.
- 12. **General Public Comment**: Louis Weston thanked Mike Bindl for his service on the Board.
- 13. **Adjourn**: Radel moved and Bindl seconded to adjourn at 8:59 pm. Motion carried.