

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

Proceedings held on Thursday, June 7, 2018

Spring Green Town Hall, E4411 Kennedy Road, Spring Green, Wisconsin 53588

1. **Call to Order:** Town Chairperson Kevin Lins called the meeting to order at 7:03pm.
2. **Legal Posting:** Clerk Patty Brooks certified compliance with open meeting law.
3. **Roll Call:** Members present were Supervisors Dave Radel and Carla Carmody, Chairperson Ken Lins, Clerk Patty Brooks and Treasurer Karen Shelton. Also present: Patrolman Brad Haas, Bill Mertens, Michelle Thomas, Louis Weston, Rodney Barnes, Rhonda Rott, Kolby Hirth, and Mel Levy.
4. **Adopt Agenda:** Radel moved and Carmody seconded to adopt the agenda as presented. Motion carried.
5. **Approval Minutes:** Carmody moved and Radel seconded to approve the minutes of the May 3, 2018 Regular Town Board Meeting as presented. Motion carried. Minutes of the May 24, 2018 Special Board Meeting will be submitted for approval at the next regular monthly board meeting on July 5, 2018.
6. **Treasurer's Report:** Shelton reported beginning balance of \$793,483.37 with receipts of \$6,815.97 and disbursements of \$27,496.59 leaving a balance of \$772,802.75. Radel moved and Carmody seconded to file the Treasurer's Report as presented. Motion carried.
7. **Approve Monthly Bills/Invoices for Payment:** Radel moved and Carmody seconded to approve the monthly bills/invoices for payment as presented. Motion carried.
8. **Chairman & Supervisor Reports:**
Chairperson's report/Kevin Lins:
 - May 5: Signed the revised PSD Ordinance as PSD Commission Chairman.
 - May 7: Signed the Town Acknowledgement Form for Mr. Money Penny's variances on a house he is remodeling on County Hwy. JJ. The Board approved this at last month's meeting after recommendation from the Plan Commission to do so. Mr. Money Penny had dropped off this form at my house.
 - May 7: Attended a special town board meeting where the board interviewed and then appointed Patty Brooks as the Town Clerk to replace Jenny Pappas who has resigned and moved out of the township. We only had one applicant for the clerk position.
 - May 9: Received an email from a person wondering if they could still submit an application for the Town Clerk position. I responded that the deadline had passed, the Board had already appointed a new clerk, but if that person is still interested, they should appear at the caucus in January, get nominated to get on the ballot and run in the spring election.
 - May 11: Received a call from a resident about putting up a fence along a cul-de-sac adjoining his property. I contacted Fred and then called back the resident with more information.
 - May 11: Attended a going away/thank you get together at Wisconsin Riverside Resort for Jenny Pappas.
 - May 14: Had a message relayed to me from our clerk about a phone call complaining of constant burning either at a business or from the recycling center.
 - May 15: Had a letter forwarded to me by Fred Gruber from Jewell Associates. This letter was from the Wisconsin Historical Society stating our authorization was extended for a year to conduct ground-disturbing activity within the uncatalogued boundaries of the Williams Mound Group (SK-0113) for the reconstruction of a portion of Rainbow Rd.
 - May 16: Attended the monthly JEZC meeting and substituted for Fred Lausly who was unable to attend.
 - May 17: Attended the WTA Sauk County Chapter quarterly meeting at LaValle. Will let Dave give a report on that meeting.
 - May 17: Received a call from a resident about an upcoming FLW road tour and wondering if people could park along Peck Rd.
 - May 22: Had to rescue Brad after Bill locked him out of his truck while picking up garbage along Kennedy and Shifflet Roads.

- May 24: Received an email from a resident concerning a neighbor who is burning a lot of garbage including plastic. This person could not find anything in our ordinances concerning this. I referred this person to the local DNR forest ranger, Scott Lancaster.
- May 24: Attended a special town board meeting to open the bids for road work projects and to discuss putting an ad in the paper to sell the 2007 Snow Plow Truck. Scott Construction had the lowest bid and was awarded any of the roadwork projects we decide to do.
- May 25: Received an anonymous email about weight restrictions signs posted on Rainbow Rd. I replied back asking for their name. Never heard back.
- May 29: Construction started on the curve for Rainbow Rd. and I received a complaint about the road not being closed properly. I drove out there and everything was fine. I stopped and talked to the archaeologist who was there for the first day. I later talked to Fred Gruber and nothing was found.
- May 30: Attended a special BOA hearing at the Tri-County Airport for variances for Mr. Moneypenny. The airport has a special zoning area around the airport so this BOA is different from the County BOA and had it's first ever meeting on this issue. The BOA approved one variance and denied the other. Mr. Moneypenny can now continue with his remodeling project with a slight adjustment. The big deciding factor that helped the BOA members to make a decision to allow the construction to continue, was a statement from Marc Higgs, Airport Manager, that the Airport Commission did not have an issue with allowing the remodeling to continue.
- May 30: Met with Patty Brooks at the Town Hall and checked out the town clerk's laptop and decided she didn't need a new one. Also suggested she changes the Town Clerk's email provider from Yahoo to Google. I updated the Clerk's name and email address on the Town's web page. I also later added a tab for info and pictures on the truck for sale and also put this month's meeting agenda.
- June 3: Took my dump trailer and skid steer loader down to the cemetery in preparation to remove the fence.
- June 4: Mike Paulsen and I started removing woven wire and fence posts along west property line at cemetery.
- June 4: Responded to an open records request by Tim Damos from Baraboo News Republic about the Joost lawsuit settlement. Tim is preparing an article for the 10-year anniversary of the June 2008 heavy rains/flooding in this part of Wisconsin. This article is supposed to be about big projects that were done as a result of the June 2008 rains.
- June 6: Mike Paulsen and I finished piling woven wire and fence posts on my dump trailer and I took the skid steer loader home.
- Since last meeting I received an anonymous text complaining of junk somewhere on Olson Rd. I have since turned off texting on my Town phone.

Supervisor Report/Dave Radel:

- May 17: Attended WTA Meeting. State Senator Marklein's staff member gave a briefing of transportation aid and road construction dollars. Sauk County's Administrator Bolin spoke about sharing an AG agent with Juneau County. Lisa Wilson from county planning and zoning spoke about how the county is working to streamline its CSM maps. Public Health Director Hayes discussed on the health department's accredited ratings. Jared Pinkus has been hired by the county to be its "Place Making" coordinator. Betty Manson of the WTA's office reminded towns that it needs at least one board member to be Board of Review trained. State Representative Ed Brooks announced that he would not seek reelection.

Supervisor Report/Carla Carmody:

- May 8: Planning Commission Meeting.
- May 14: Received an email from a film producer based in Milwaukee that would like to film the sunrise on Mercer Rd.
- May 24: Special meeting to open roadwork bids.
- June 3: Received a phone call about the property at E3050 Hanson Rd. on Dane Hill, asking if the trees could be cut down and trimmer back in order to get farm equipment through. Also if there could be a turnaround at the end of the township road.
- June 4: Received a phone call from Joe Bauer asking if trees could be trimmed on Big Hollow Rd. by the driveway to Bindl Bauer Limestone.

- June 6: Received a phone call asking how the process works in regards to neighboring land use and development. I suggested attending the planning commission meetings and town board meetings and express concerns during public comment.
9. **Comment from the Public:** (Be advised that there may be limited discussion on the information received, however, no action will be taken under public comment)
 Bill Mertens said the McKenna boat landing at Long Lake was filled and grass seed spread. Suggested that rail and posts installed would protect grass area. Mertens said it would cost \$158 for materials at Menard's. Lins asked Mertens to flag area.
10. **Reports:** (For discussion and/or action by the Town Board)
- a. **Patrolman:** Haas reported worked on the following during the month of May: mowing and chipping, cut tree on Hanson Rd., trimming on Kennedy Rd., and observed damage on Peck Rd.
 - b. **Building Inspector:** One permit issued to Shane Ferguson for a new home at S12952 Ivy Lane.
 - c. **Emergency Planning:** No meeting.
 - d. **Plan Commission:** Chairperson Fred lausly report read by Town Chairperson Lins.
 - Updates & Communications: Tom Peck Driveway and Maier sub-division
 - Business Items:
 - CSM: Consultation/presentation by Sandy Lochner for a proposed CSM for properties at S11850 Raymer Rd and E6224 County Highway WC. Discussion/Citizen Input/Possible Action.
 - CSM: Consultation/presentation by Mark Mahoney for a proposed CSM for properties at E2980 Phylane Rd. Discussion/Citizen Input/Possible Action.
 - Trailer Park Expansion: Consultation with Rick DuBois on an expansion of the trailer park on Shifflet Rd. Discussion/Citizen Input/Possible Action.
 - CSM & PRD: Presentation by Gary Johnson for the creation of a Planned Rural Development on his property at E6495 County Highway WC. Discussion/Citizen Input/Possible Action.
 - CSM: Consultation with Irv Snyder for a proposed CSM at E4802 Snyder Rd. Discussion/Citizen Input/Possible Action.
 - Comprehensive Plan: Discuss the comprehensive plan and areas for potential update. Discussion/Citizen Input.
 - e. **Extraterritorial Zoning Committee:** Reported by Kolby Hirth.
 - CUP for Alliant Energy substation on US Hwy 14 for reduced front setback approved. No attendees at the hearing.
 - Preliminary consultation with Marty Prem for consideration of chiropractic office in B-3 Highway Commercial District.
 - Prem Meats expansion will house the Bargain Nook, a hair salon, a massage parlor, and has a request for a chiropractor, currently practicing in Milwaukee, wanting to relocate back to Spring Green.
 - B-3 allows for professional offices, but chiropractic is not explicitly included in the definition.
 - Options included:
 - 1) revising the definition of professional offices to include chiropractic office
 - 2) revising the zoning ordinance to generally define professional office as those requiring licensure or certification.
 - 3) issuing a CUP specifically for this purpose on that parcel
 - 4) declining the request due
 - Town member (Snyder) expressed opinion that the zoning should reflect residents' desire to have the convenience of business amenities with highway access.
 - Town member (Hirth) also expressed sentiment that relying on the current zoning's "large land area" as a means of declining the chiropractic request appears arbitrary in light of allowed uses, like beauty parlor.
 - Town member (Hirth) stated that it would be difficult to not deem a chiropractic office as being a professional office.

- Discussions on: Village zoning ordinance; Land Division & Subdivision ordinance; regulation of junk in ET
 - All were deferred with no action. lausly was absent, Snyder was a "new" member, Lins was not afforded voting privilege, and Broh and Prem were absent.
 - Items will be on next month's agenda.
- Discussions on: Accessory Uses and Structures
 - Decision was to increase height allowance from 15' & 1 story to 20' and 1-1/2 stories and allow side yard placement - because these requests account for >90% of variance requests.
 - Also, decided to make R-4 (new single family) and R-5 (existing single family) equivalent.
- Public comment:
 1. Lins relayed a complaint from an ET resident regarding untimely burning and excessive smoke from a burn pile in J&J Lawn Service. Village member (Lilla) advised that the resident should just talk to James because he was a nice guy. Town member (Hirth) disagreed because a resident's concern should be rebuffed and effectively forced to confront or negotiate with a business that is violating conditions of a permit or causing a nuisance.
 2. Marcus relayed that since statues do not explicitly mention "alternate" members, the Town's attorney's letter amounted to speculation and that he is going to ask the village attorney to review the matter. Town member (Hirth) requested that he bring it to the next month's meeting as an agenda item.

Marcus relayed that the village has historically voted to approve Town TEZC appointees "as a courtesy." Town member (Hirth) responded that a courtesy would be to welcome new members to the committee, but a vote to approve was not a courtesy but, instead, an inappropriate presumption of authority to approve or disapprove. Approval, per se, presumes an inappropriate subjugation of the decision.

f. **Fire District:** No meeting.

11. **Agenda Items for discussion and/or action** by the Town Board (Limited Public Comment may be allowed):

Discussion/possible action regarding CSM: Presentation by Alvin Christianson for two CSM's, one on property at E2551 Olson Rd and a second for property at E2540 Richland St. Action by the Plan Commission was to recommend approval of CSM for E2551 Olson Rd and E2540 Richland St. Mr. Christianson will have the final CSM's for the Board meeting. Realtor Rhonda Rott said that she was asked by Mr. Christianson to represent him at this meeting. Carmody moved and Radel seconded to approve the CSM as presented. Motion carried.

Discussion/possible action regarding request for approval of Users Permit for annual End of Summer fireworks on Sunday, September 2, 2018, in Wisconsin Riverside Resort campground by Terry Shifflet. Radel moved and Carmody seconded to approve Users Permit for Wisconsin Riverside Resort. Motion carried.

Discussion/possible action regarding request for Mercer Rd closure between Peck Rd. and Dyke Rd. for film shoot June 23rd and June 24th from 3:30am to 8:00am. Carmody talked with residents along the route. Patrolman Haas will install barricades. Motion to approve request was made by Carmody and seconded by Radel. Motion carried.

Discussion/possible action regarding two land rental agreements:

Rodney Barnes - Ag land at \$100 per year. Back date agreement to 2017 when previous contract expired. Term to be April 2017 to April 2021. Barnes presented the board with a check for \$500.

William Hutter - Ag land. Back date contract to 2016 when it expired. \$440 annual contract.

Treasurer reported Hutter has been paying \$600 per year for two FEMA buyout parcels. Radel talked to Hutter who said payments had been for crop year beginning April 8, 2011. New agreement will be for five years, crop year 2017 to drop year 2022. Treasurer reported that Hutter Farms made a payment in January 2018.

Clerk to type up new agreements for Barnes and Hutter.

Radel moved and Carmody seconded to renew both Barnes and Hutter land rental agreements. Motion carried.

12. **Adjourn:** Carmody moved and Radel seconded to adjourn at 8:16pm. Motion carried.