MINUTES OF THE SPRINGDALE TOWN BOARD MEETING, April 11, 2016

IN ATTENDANCE: Town Board Chair Ed Eloranta, Supervisor I Mike Fagan and Supervisor II Richard Schwenn and Clerk Vicki Anderson.in attendance.

CALL TO ORDER: by Chair Eloranta, 7 p.m.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. By 4/7/16 the agenda was posted in the three customary locations in the Town of Springdale as required by law and, as a courtesy to the residents, the notice of the meeting was published in the *Mt. Horeb Mail* on 4/7/16*.* In addition, the more extensive publication requirements for Town Board action on bids/contracts were met.

MINUTES: MOTION by Fagan/Schwenn to approve the minutes as distributed of 3/14/16. MOTION carried 3-0.

PUBLIC INPUT: NON-AGENDA ITEMS: Springdale resident John Rosenbaum asked the Town Board to act to place a non-binding advisory referendum on the Nov. 8, 2016 ballot to give Springdale citizens the opportunity to vote to overturn the Citizen’s United Supreme Court decision. That Supreme Court decision equated money to free speech and prohibits government from restricting independent political expenditures by a nonprofit organization. Citizens in the Village of Mt. Horeb are working to place the referendum on their ballot, too. The Clerk will research the steps needed for the Town Board to act on this matter at the next Town Board meeting, 5/23/2016.

BID OPENING/ROAD BIDS/CONTRACTS:

CHIP SEALING: MOTION by Schwenn/Fagan to accept the bid presented by Scott Construction, Inc., 560 Munroe Ave., Lake Delton, WI 53940, for chip sealing four roads per the specifications provided by the Town Patrolman Devin Dahlk, all work completed by Aug. 15, 2016. Discussion: See the chart below of the bids received. The bid that was not accepted was higher; from Fahrner Asphalt Sealers LLC, 318 Raemisch Road, Waunakee, WI 53597. Motion to approve carried 3-0.

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| Roads-Chip Sealing | Fahrner Asphalt Sealers LLC Bid | Scott Construction, Inc.  Bid |
| Crabb Road - & reverse dir. area | $ 7,710.00 | $ 6991.00 |
| Fargo Road - & reverse dir. area | $ 8,875.00 | $ 7,984.00 |
| Getz Road | $12,830.00 | $11,344.00 |
| Rennebohm Road | $ 5,550.00 | $ 3,229.00 |
| Total | $34,965.00 | $29,584.00 |

HOT MIX WEDGING: MOTION by Fagan/Schwenn to approve the bid from Scott Construction, Inc. 560 Munroe Ave., Lake Delton, WI 53940, for hot mix wedging on a variety of roads per Town Patrolman Devin Dahlk, with work completed by Aug. 15, 2016. Discussion: See the chart below of the bids received. The bid that was not accepted was higher; from Payne & Dolan, Inc. 6295 Lacy Road, Fitchburg, WI 53593. Motion to approve carried 3-0.

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| Hot Mix Asphalt Wedging | Payne & Dolan, Inc. Bid | Scott Construction, Inc. Bid |
| Various roads per Town Patrolman | $61.95/ton – 1000 tons - $61,950.00 | $57.95/ton – 1000 tons-$57,950.00 |

CULVERTS AND DITCHING: MOTION by Fagan/Schwenn to approve the bid from S & E Enterprises of Verona, Inc. for culvert and ditching work per the specifications provided by the Town Patrolman Devin Dahlk, all work completed by Aug. 15, 2016.

Discussion: See the chart below of the bids received. The bid that was not accepted was higher; from Fink’s Paving and Excavating Inc., 9935 Hwy ID West, Mt. Horeb, WI 53572. Motion to approve carried 3-0.

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| Culverts and Ditching | Fink’s Paving and Excavating Inc. Bid | S & E Enterprises of Verona, Inc. Bid |
| Malone – Lewis Rd. intersection | $ 2,700.00 | $ 2,410.00 |
| Klevenville-Riley Rd. – CTH J intersection | $ 3,300.00 | $ 900.00 |
| Station Rd. ditching | $ 3,300.00 | $ 1,270.00 |
| Norwegian Trail | $ 3,200.00 | $ 660.00 |
| Springdale Center Rd./Zahler Dr. | $ 6,400.00 | $ 2,090.00 |
| Fargo Road | $11,000.00 | $ 5,600.00 |
| Total | $29,900.00 | $12,930.00 |

CONTRACTS FOR ROOF REPAIR: MOTION by Fagan/Schwenn to approve the bid from Tim Forseth Siding to replace the roof on the old town hall and outhouses with the Owens Corning 30-year warranty shingles with the work to be completed by Aug. 15, 2016 for the sum of $6,100.00. Discussion: See the chart below of the bids received. The bids that were not accepted were higher;

\*Ace Roofing, LLC, 2084 Erb Rd., Verona, WI 53593, and Schmitz Roofing, 507 Birchwood Trail, Mt. Horeb, WI 53572. (\*Ace Roofing LLC submitted a bid for budget purposes in Nov. 2015. No bid was received in response to the project specifications circulated for the April 2016 meeting.) Motion to approve carried 3-0.

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| Shingle Type | Ace Roofing, LLC. | Tim Forseth Siding | Schmitz Roofing |
| GAF Timberline HD Limited | $6,930.00 |  |  |
| Owens Corning 30 year |  | $6,100.00 | $6,600.00 |
| Lifetime Warranty Certainteed |  | 9,850.00 | $10,800.00 |

RILEY TAVERN/DENEEN PROPERTY RESTRICTED PARKING AREA: INFORMATION ONLY- NO ACTION.

Purpose of the meeting: Jim Murphy, owner of Riley Tavern, requested the opportunity to discuss the April 3, 2016, interaction between the tavern neighbors, Ben Deneen, and Riley Tavern patrons. Since Murphy has the Riley Tavern property for sale, he does not want his sale prospects and tavern business to be jeopardized by neighbor to neighbor disagreements. Dane County Sheriff’s office was called to the property because a tavern patron had parked on the Deneen private property which is surfaced like a roadway and Ben Deneen parked behind the vehicle, blocking its exit.

Parking on Deneen property by tavern patrons. In the Sept. 2013 Town Board meeting, the delineation of private property and road right-of-way was discussed. “ROAD RIGHT-OF-WAY ON KLEVENVILLE-RILEY RD. IN RILEY/SECTION 2: MOTION by Smith/Schwenn to authorize Ben Deneen to paint whatever lines he wants on his property along the survey line to delineate the private property and a 16’ width for the shared driveway to the garage and the 4’ on each side of the driveway for a total length of 24’ of no parking parallel to the Deneen property. Discussion: History: The Deneen home at 8201Klevenville Riley Road has a section of paved roadway that is private property based on the June 5, 1996, quit-claim deed from the Town of Springdale to Deneens, Dane County Register of Deeds Doc. No. 2768591. A comparable stretch of town road right-of-way was quit-claimed to Murphy, owner of the adjacent property known as Riley Tavern, at the same time. This resulted in a vacation of a portion of Front Street platted in the 1881 plat of Sugar River Station reducing the right-of-way width of Klevenville-Riley Rd. in this area to approximately 33’ in width instead of the typical 66’ width. The purpose of the road right-of-way change in 1996, was to allow the old Riley Tavern steps to be replaced with a deck….”

Follow up to Sept. 2013 TB meeting: Since the 2013 meeting, the Deneens have not chosen to paint any lines delineating the private property where parking is prohibited. They have installed a sign. It is generally agreed that someone unfamiliar with the unique situation here, since this private property area does look like roadway, could park here by mistake. It was suggested that Deneens do whatever is legal to designate the area where the public cannot park. For example: paint lines and install a sign stating “No parking between the lines.” or place potted plants on the corners of the “no parking area.”

Sheriff’s Input: Deputy Sheriff Brooke Gagner attended the meeting and clarified the following points:

a. Citations – Typically, when someone makes a mistake and unknowingly parks in a restricted area, a warning citation may be issued. In her seven years as a deputy sheriff, she has never issued a citation for parking on private property.

b. Blocking a parked vehicle – It is unlawful to block a vehicle from leaving a parking area.

c. Parallel parking along Klevenville Riley Road on the edge of the private property “no parking area” doesn’t make sense in this area of Klevenville-Riley Rd. since the road right-of-way is only 33’ wide.

d. Since the call volume from the property owner had decreased since 2013, the Sheriff’s Office had hoped that the mediation the Sheriff’s Office facilitated had helped. In 2013, the Sheriff’s Dept. received 24 calls; 1 call in 2014; 3 calls in 2015 and 2 calls in 2016.

PUBLIC HEARING: PLAN COMMISSION RECOMMENDATION: T. AND T. BEARD/CHANGE IN BUILDING ENVELOPE AND DRIVEWAY PERMIT/GETZ RD./SEC. 6:

MOTION by Fagan/Schwenn to approve the change in building envelope on the Beard lot on Getz Rd. Discussion. The change was recommended to the TB by the PC, it will solve a drainage issue and the adjacent neighbor supports the changed. Motion to approve carried 3-0.

MOTION by Fagan/Schwenn to approve the Driveway Permit Part 1 and 2 with the requirement that it shall be constructed in compliance with the Town Driveway Construction Guide. Motion to approve carried 3-0.

DRIVEWAY PERMITS: A. K. AND P. ANDERSON/ERB RD./SEC. 23: MOTION by Fagan/Schwenn to approve the Driveway

Permit Part 1 and 2 as requested. Discussion: The driveway shall require a culvert and shall be constructed in compliance with the Town Driveway Construction Guide. The driveway will serve a residence on the farm in a location consistent with the town-approved concept plan. Motion to approve carried 3-0.

B. BETHKE, VAN DE GRIFT/MIDTHUN –EXTENSION TO DRIVEWAY PERMIT/SPRING ROSE RD./SEC. 25: MOTION by Fagan/Schwenn to approve the request for an extension to the Driveway Permit Part 1 issued to Dennis Midthun and partners in April, 2015 with driveway completion date moved from April, 2016 to the end of May, 2016. Discussion: Typically, the Town Chair will grant an extension to a driveway permit when it is deemed reasonable; when the Town Driveway Ordinance has not changed to make the driveway permit nonconforming. Motion to approve extension carried 3-0.

INTRODUCTION OF RESOLUTION TO DISCONTINUE DEAD-END ROADS OR PORTIONS OF DEAD-END ROADS: ALLEN DRIVE, FARGO ROAD, LINGARD ROAD AND WEEPING WILLOW BEND: MOTION by Fagan/Schwenn to adopt the following resolution: RESOLUTION NO. 16041 TOWN OF SPRINGDALE DANE COUNTY, WISCONSIN

A RESOLUTION TO DISCONTINUE WEEPING WILLOW BEND AND PORTIONS OF ALLEN DRIVE, FARGO ROAD, AND LINGARD ROAD LOCATED IN THE TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN

RECITALS:

A. It is in the public interest that Weeping Willow Bend and portions of Allen Drive, Fargo Road and Lingard Road, shown and described on the diagrams and legal descriptions attached hereto and incorporated herein are vacated and discontinued in the Town of Springdale, Dane County, Wisconsin, under 66.1003(4).

B. The Town Board of Springdale intends to discontinue the Right-of-way or a portion of the Right-of-Way.

C. The discontinuance of the Right-of-Way or a portion of the Right-of-Way will not deprive the landowner of all access to a highway and will not result in a landlocked property.

D. This Resolution was introduced before the Town Board of the Town of Springdale on April 11, 2016. A Notice of Pendency of Application to vacate the entire or portions of the Right-of-Way was filed with the Registry of Deeds for Dane County

on April 8, 2016. The Notice of Hearing was published as a class 3 notice under Chapter 985 of the Wisconsin Statutes. A copy of the Notice of Hearing was served or mailed more than 30 days prior to the hearing in the manner prescribed by law on the owners of all the frontage of the lots and lands abutting upon the Right- of-Way. A public hearing was held before the Town Board of the Town of Springdale on May 23, 2016.

E. This matter was referred for consideration and report to the Town of Springdale Plan Commission which considered and reported on this matter on April 25, 2016.

F. No proper written objection to the discontinuance of a portion of the Right-of-Way was filed with the Town Clerk.

G. The public interest requires that the entire or portions of the Right-of-Way be discontinued.

H. To the extent that public utilities have rights on, over, under and through the entire vacated area, such rights are not vacated by the discontinuance.

I. When necessary, Town Driveway Permits shall be issued for the vacated town road or vacated portion thereof. The vacated town road or vacated portion thereof shall continue as a private driveway.

NOW, THEREFORE, based on the above recitals, pursuant to section 66.1003 of the Wisconsin Statutes, the Town Board of the Town of Springdale hereby resolves as follows:

1. Discontinuance of Right-of-Way. The Right of Way is hereby vacated and discontinued.

2. Official Map Amendment. The Town’s official map shall hereby be amended consistent with this Resolution.

3. Clerk Duties. The Town Clerk is instructed to record a certified Copy of this Resolution with the Dane County Register of Deeds.

Discussion: The Town has been involved in this process since 2013. It has been the intent of the Town Board to review the possible discontinuance of those dead-end or loop roads or those portions of dead-end roads that basically serve as a private driveway. For liability purposes and well as fairness purposes, it is generally agreed that the Town taxpayers should not be paying for snowplowing and maintenance services for private driveway-like dead-end roads. Since the Town has discontinued portions of 25 roads, it is estimated that the Town has saved $20,000.00 in road maintenance and repair costs with minimal decrease in road aids since the road aids are calculated on a mileage basis. In addition, the Wisconsin Towns Association originally recommended to towns to discontinue this service. Before a road is reverted to a private driveway, the Town will complete basic maintenance to leave the surface in reasonable shape. It was reiterated that in the case where a town road has been converted to a private driveway by action of the Town Board after Sept. 29, 2013, and development of permitted new lots cannot proceed without a town road, the Town Board will consider reestablishing the private driveway as a public right-of-way.

Questions: Each road is different. Allen Drive – The DNR has determined that Allen Drive shall be retained as a town road up to an access point for a navigable stream. The Town Board will research whether the road could be discontinued after that access point. Fargo Rd.- There is no navigable stream along Fargo Rd. per the DNR. The Town will research installing a reverse direction area beyond the second to last property on the road.

Lingard Road. – The DNR has identified a navigable stream accessible via Lingard Road. It will be determined whether there is another acceptable public access point to the stream so that a portion of the road could be discontinued if the terrain is adequate.

Weeping Willow Bend – There is no navigable stream served by this public road access. If the road were discontinued half of the right-of-way would revert to the adjacent property owners. Motion to adopt the resolution carried 3-0.

NATURAL HAZARD MITIGATION PLAN-5 YEAR UPDATE: NO ACTION/DISCUSSION ONLY: The Town of Springdale participates with the Dane County Department of Emergency Management and forty other local governments to prepare a multi-jurisdictional Natural Hazards Mitigation Plan. The purpose of the plan is to be better understand the natural hazards and their impacts on the people and property of the County. The plan is intended as a plan of action, identifying a wide range of options to reduce the County’s vulnerability to natural hazards. The plan and local attachments are posted on the County’s website at: <https://www.countyofdane.com/emergency/mitigation_plan.aspx>. Per FEMA regulations, the plan is required to be updated and resubmitted for approval every five years in order to remain eligible for mitigation funding.

DANE COUNTY PLANNING AND DEVELOPMENT SURVEY: NO ACTION/DISCUSSION ONLY: DC Planning and Development asked town officers to complete an online survey.

FIRE DISTRICT UPDATE: Mount Horeb Area Joint Fire District representative from the Town of Springdale, Mike Lamberty, reported on the new ladder truck and the ongoing process to plan for a new fire station/police station. Much more information will be provided over the summer. Stay tuned.

PLAN AMENDMENTS: Since the TB is awaiting PC recommendations, no discussion/action at this time.

BILLS/BUDGET AMENDMENT: MOTION by Schwenn/Fagan to approve the bills as presented Motion carried 3-0.

ADJOURN: MOTION by Schwenn/Eloranta to adjourn. Motion carried 3-0.   
  
Respectfully submitted, Vicki Anderson, Town Clerk

MINUTES OF THE SPRINGDALE SPECIAL TOWN BOARD MEETING, April 19, 2016

IN ATTENDANCE: Supervisor I Mike Fagan and Supervisor II Richard Schwenn and Clerk Vicki Anderson..

CALL TO ORDER: by Chair Fagan after the adjournment of the 2016 Annual Meeting.

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. By 4 p.m. on 4/19/16 the agenda was posted in the three customary locations in the Town of Springdale as required by law.

PURPOSE OF THE MEETING: In mid-afternoon on 4/19/2016, it was learned that road work on Fargo Road was being completed in the wrong location. Due to the urgency of the matter, a special meeting was posted more than three hours in advance of the meeting.

FARGO ROAD: MOTION by Fagan/Schwenn to instruct Town Patrolman Devin Dahlk to notify the contractor to cease any further road work on Fargo Road and to restore the area back to ‘normal’ town road side conditions (cleaning up the area and seeding the area to prevent erosion.) Discussion: As part of the discontinuance of those portions of dead-end town roads which basically serve as private driveways, a portion of Fargo Road was being prepared for a turn-around. It was discovered that the point in the road where only one property was served was farther down the road than the initial construction on 4/19/2016. The Town Engineer will be consulted to identify the location of the Wittman property line and the width of the road right-of-way in that area to determine whether a turn-around can be installed there. Motion to approve carried 2-0.

Respectfully submitted, Vicki Anderson, Town Clerk