MINUTES OF THE SPRINGDALE TOWN BOARD MEETING – May 18, 2015

IN ATTENDANCE: Town Board Chair Ed Eloranta, Supervisor I Jeff Smith, Supervisor II Richard Schwenn (A quorum is present.) Clerk Vicki Anderson.

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

NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. By 5/14/15 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 agenda was published in the *Mt. Horeb Mail* on 5/14/15*.*

MINUTES: MOTION by Smith/Schwenn to approve the minutes as distributed: 4/20/15. Motion carried, 3-0.

BIDS-PAINT AND REPAIR SALT SHED: Prior to opening up the sealed bids received by the deadline of 7 p.m. on 5/18/15, Town Board Chair Ed Eloranta verified for the record that all proper bidding procedures had been followed before the bids for a given project were opened and awarded. Before tonight’s meeting, Town Patrolman Devin Dahlk had prepared a written description of the proposed work and distributed to the contractors interested in bidding on the project upon their request. The bids were opened.

Exterior Painting of Salt Shed: MOTION by Schwenn/Smith to hire Fritz Barn Painting, 608-206-3930, to paint the exterior of the salt shed for $3405.00. Discussion: The higher bids that were received and not accepted were from High-Tech Commercial Painting, Kevin N. Riemenapp, Montfort, WI, 53569, and Howard Grote & Sons, 4900 Ivywood Trail, McFarland, WI 53558. Motion to approve carried 3-0.

|  |  |  |  |
| --- | --- | --- | --- |
| Company | Fritz Barn Painting | High-Tech Commercial Painting | Howard Grote & Sons |
| Bid | $3945 – metallic zinc (gray) | $9210 | $9670 |
|  | $3405-rust-inhibitive aluminum (silver) |  |  |

Rustproofing Interior of Salt Shed: MOTION by Smith/Schwenn to hire Zander Solutions, LLC, 3315 Meadow Road, Verona, WI 53593, to complete the rustproofing and repair of the interior of the salt shed for $5950. Discussion: The higher bids that were received and not accepted were from High-Tech Commercial Painting, Kevin N. Riemenapp, Montfort, WI, 53569 and Howard Grote & Sons, 4900 Ivywood Trail, McFarland, WI 53558. Motion to approve carried 3-0.

|  |  |  |  |
| --- | --- | --- | --- |
| Company | Zander Solutions, LLC. | High-Tech Commercial Painting | Howard Grote & Sons |
| Bid | $5950 | $8660 | $8973 |

PLAN COMMISSION RECOMMENDATION/PUBLIC HEARING:

A. K. AND A. ZWEIFEL/CSM LOT AND DRIVEWAY PERMIT-SHARED AGREEMENT/CTH J/SEC. 2:

1. MOTION by Smith/Schwenn to approve the preliminary CSM as presented. Discussion: The PC recommended approval of the lot with the building envelope located on the North side of the existing field road. There shall be no further divisions of this lot per the current town land use plan. The fee has been paid. Motion to approve the preliminary CSM carried 3-0.

2. MOTION by Smith/Schwenn to approve a shared driveway easement contingent upon documentation of a shared driveway easement agreement and Dane County Highway approval of increasing the existing shared access for the Zweifel farmland and the existing cell tower to include access for a single-family residence. The fee has been paid. Motion to approve with contingencies carried 3-0.

B. K. LAMBERTY/CUP #02313-LIMITED FAMILY BUSINESS FOR PHOTO STUDIO IN EXISTING ACCESSORY BUILDING: MOTION by Smith/Schwenn to approve the CUP #02313 with the following conditions as recommended by the PC.

1. The business activity is limited to a photo studio. 2. Hours of operation shall be limited to 8 a.m. – 8 p.m. daily, by appointment only. 3. Number of employees: The CUP shall conform to the limited family business requirement by which all employees, except one or one full-time equivalent, shall be a member of the family residing on the premises. 4. Number of customers shall be limited to no more than 40 individuals a week. (Because the business may involve a photo shoot for a family of 10 individuals, this would be one (1) ‘order’ but involve 10 individuals.) 5. Outside storage shall not be permitted. 6. Outdoor lighting shall be dark-sky compliant. 7. Outside loudspeakers shall not be permitted. 8. Signage at the roadside shall not be permitted. 9. Sanitary fixtures shall not be permitted in the photo studio/existing accessory building. Discussion: In the PC action, the six standards required for a CUP were deemed to be met. Also, it was clarified that the existing small flag hanging on the mailbox does not constitute a sign for purposes of the Town of Springdale Sign Ordinance or a violation of condition #8 above. In addition, K. Lamberty was thanked for consulting with the Town PC and TB before starting her business in the existing accessory building.

Motion to approve with conditions carried 3-0.

FIRE DISTRICT UPDATE/PLANS FOR NEW BUILDING: Fire Board Representative Mike Lamberty announced that the Fire District has entered into a purchase agreement with the Premier Cooperative for land for sale. A study is being conducted about the joint use of a new building by the Mt. Horeb Police Dept. and the Mount Horeb Area Joint Fire District. The Police Dept. has contributed $25,000 to the cost of the study and the Fire District’s share of the study cost is $1500.

C. B. GARFOOT AND J. NICHOLSON/CSM FOR LOT LINE ADJUSTMENT OF THREE LOTS AND REZONING #10830 FOR GARFOOT FROM R-3A TO R-3 FOR SINGLE FAMILY RESIDENCE/DAVIS ST./SEC. 34 AND FOR NICHOLSON FROM R-2 TO A-1 TO CONSOLIDATE TWO PARCELS UNDER ONE ZONING: MOTION by Smith/Schwenn to approve the lot line adjustments and rezonings as presented. Discussion: At the April 27, 2015 PC meeting, Dane County Zoning Administrator Roger Lane attended the meeting to explain the lot line adjustments and associated rezonings to bring each individual lot into zoning compliance. Motion to approve carried 3-0.

ANTIQUE TRACTOR PULL/MT. VERNON: MOTION by Schwenn/Smith to approve the Antique Tractor Pull organized by the Community Antique Pullers on Sunday, Sept. 20, 2015, from 11 a.m. to 6 p.m. on Penn and Jackson Streets, contingent upon proof of insurance and notification of the Mt. Vernon Park Association. Discussion: The event was held last year and no complaints were received. Motion to approve carried 3-0.

DRIVEWAY PERMIT: D. AND H. CONNOR/BAKKEN RD./SEC. 10: MOTION by Smith/Schwenn to approve Driveway Permit Part 1 and 2 with the conditions that it shall be built to driveway construction standards with maintenance of 10% slope throughout the driveway. Discussion: It was recommended that the landowners survey their property lines to verify that the driveway is being installed on their property. The driveway permit fee has been paid. Motion to approve carried 3-0.

FINAL PLAT BELLA VISTA/BAKKEN GRIMSTAD LLC. AND N. AND B. HURLEY/GRIMSTAD RD./SEC. 10:

MOTION by Smith/Schwenn to pass resolution 15051 as recommended by the PC. Discussion: It was agreed that the Plat is at the point when the final review for the Town will be completed by the Town Engineer, Town Attorney, Town Chair and Town Clerk before all documents will be signed. Ron Trachtenberg, the Attorney working with the Developer, agreed to the resolution and the punch list. In addition, he clarified that: 1. No motorized vehicles will be allowed on the trails on Outlot 2. The trails are intended for hiking and walking only. 2. The use Outlot 2 will be restricted to crop-based agriculture.

TOWN OF SPRINGDALE DANE COUNTY, WISCONSIN TOWN BOARD RESOLUTION NO. 15051

RESOLUTION BY THE TOWN BOARD OF THE TOWN OF SPRINGDALE CONDITIONALLY APPROVING THE FINAL PLAT OF BELLA VISTA, TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN

WHEREAS, a final plat entitled “Bella Vista” (the “Plat”) was submitted on April 10, 2015, by Bella Vista LLC. (the “Developer”) to the Town of Springdale for review and action; and

WHEREAS, the Plan Commission has examined the Plat as to its conformance with the Preliminary Plat and recommended to the Town Board that the Plat be conditionally approved; and

WHEREAS, the Town Board has determined that the Plat will be consistent with the Town of Springdale Ordinances, the Town of Springdale Land Use Plan, and Wis. Stat. Ch. 236 only if all the conditions set forth below are met.

NOW, THEREFORE, the Town Board approves the Plat subject to the following conditions:

1. The Developer shall comply with all applicable town, county, and state regulations.

2. The Developer shall comply with all conditions imposed by Dane County Zoning, Land Division Review, Highway and Land and Water Resources departments as part of the Plat approval process. If a state or county reviewing entity requires changes to the Plat as part of their approval process, the Town Board reserves the right to review the changes for conformance with all applicable Town regulations.

3. Pursuant to § 3.34 of the Town’s Land Division and Subdivision Code, a development agreement between the Developer and the Town, in a form and substance acceptable to the Town Chair and Town Attorney, shall be entered into prior to the installation of required improvements requiring the Developer to furnish and construct public improvements at the Developer’s sole cost and in accordance with approved plans and specifications. The required improvements include Bella Vista Ridge and the storm water management and erosion control facilities with the easement within the Plat to access and maintain the facilities.

4. Pursuant to § 3.34 of the Town’s Land Division and Subdivision Code, a development agreement between the Developer and the Town, in a form and substance acceptable to the Town Chair and Town Attorney, shall be entered into prior to the installation of required improvements requiring the Developer to furnish and construct public improvements on a portion of Grimstad Road from the intersection with County Road PD to Bella Vista Ridge in accordance with approved plans and specifications. The costs shall be apportioned between the Developer and adjacent property Owners.

5. The granting of easements, in a form and substance acceptable to the Town Chair and the Town Attorney, by Developer and the Bella Vista Homeowner’s Association, Inc. (the “Association”) authorizing the placement of and access to the storm water management facilities in the Plat. This is in addition to the agreement for maintenance of stormwater management facilities as required by Dane County Land and Water Resources Department.

6. The granting of a deed restriction, in a form and substance acceptable to the Town Chair and the Town Attorney, which restricts the remaining property owned by the Developer to allow only agricultural and/or open space use.

7. The adoption of articles of incorporation for the Association in a form and substance acceptable to the Town Chair and the Town Attorney.

8. The adoption of bylaws for the Association in a form and substance acceptable to the Town Chair and the Town Attorney.

9. Payment of outstanding and billed fees and expenses of the Town incurred as of the date of the recording of the Plat.

10. List of items for the Developer to include on the Plat and in the required agreements shall include:

a. Items listed in the email dated May 18, 2015 from the Town of Springdale to the Developer, Exhibit A.

b. All of the final plat requirements as listed in Section 3.33 of the Town’s Land Division and Subdivision Code.

11. Documents received to date include:

a. The Development Agreement reviewed and approved by Chris Hughes and verbally okayed by Attorney Ron Trachtenberg for Bella Vista.

b. Declaration of Covenants, Restrictions and Conditions for Bella Vista Plat as prepared by Developers, dated May 8, 2015.

c. Articles of Incorporation and Bylaws of the Bella Vista Homeowners’ Association. Two separate documents prepared by the Developers, dated May 5, 2015.

d. Partial Vacation of Grimstad Rd. Draft document prepared by Developers, dated May 5, 2015.

e. Joint Driveway Agreement for Grimstad Rd. Draft document prepared by Developers, dated May 5, 2014.

f. Final Plat Application dated April 10, 2015 from Vierbicher, Timothy Schleeper, P.E. with the following documents:

i. Project Manual (Specifications) for Bella Vista Development

ii. Supporting Documents – Dane County Title Company

iii. Bella Vista Development, date: 3/30/2015, 29 page submittal which includes: Title sheet, General Notes and Legends, Existing Conditions Plan, Overall Grading Plan, Grimstad Rd/CTH PD Intersection Grading, Grimstad Rd Grading Plan, Bella Vista Ridge Grading Plans, Stormwater Basin Grading Plan, Grimstad Rd. Plan and Profile, Bella Vista Ridge Plan and Profiles, Grimstad Rd Cross Sections, Bella Vista Ridge Cross Sections, Construction Details

iv. Bella Vista Plat Map, date 03/25/2015, 6 page submittal.

g. Calculation of Land in Lots and Open Space for requirement of rural cluster subdivision, 4/20/15 email from Tim Schleeper, Engineer.

h. Overview of status of other approvals of Plat, 4/20/15 email from Schleeper.

i. Email from Dane County Highway Pam Dunphy stating the review of the intersection details from the engineering plan meet the DC Hwy. requirements. Dated 4/23/15.

j. Letter from Dan Everson, Land Division Review Office, 3/28/15, with list of conditions on the final plat for the Zoning and Land Regulation committee meeting scheduled for 4/28/15.

k. Letter from Brian Berquist, P.E., Town and Country Engineering, Inc., engineer for the Town of Springdale, with comments regarding the plans and project manual for the Plat. Dated 4/21/15.

l. Maps and exhibits from Mike Ziehr of the Final Plat lot layout, Outlot 1, Outlot 2 and Exhibits: Building Setbacks Map, Storm Water Management and Trail Easement. Dated 5/18/15.

EXHIBIT A

1. Historical easements on this property found in the Dane County Title Company title search for the period Jan. 1, 1954 through June 25, 2014. Are any of the “Easements” and “miscellaneous items which appear to involve the lands under search herein” remain in effect and could pose problems for the Plat? For example, what is Access easement set forth in Warranty Deed recorded Sept. 7, 2004 as Document Number 3964506 which grants access for one party to cross other party’s land.

2. Waiver of notice for special assessments for the lot owners on Grimstad Rd. Ron, thank you for agreeing to prepare the waiver.

3. Exhibits needed: The list includes, but may not be limited to, the exhibits mentioned in various documents: Community Grounds, 5/18/15…Outlot 1

Trail Easement, 5/18/15 Trails shown on Outlot 2 and easement between Lots 6 and 7.

Drainage Easement, 5/18/15 Drainage easement shown between Lots 2 and 3 and 5 and 6 and access to drainage ponds on Outlot 2

Storm water Detention Facility and Improvements, 5/18/15 On Outlot 1 and 2.

Storm water and Trail Easement across lots,

Building envelopes showing Dane County Zoning setbacks for A-1 residential lots, 5/18/15

Vegetative buffer,

Driveway access points onto Bella Vista Ridge, (These 9 driveway permits are on the May 18 TB agenda for TB action.)

Tree Removal or required buffer of trees/vegetation for Lot 1, 7, 8, 9,

Property served by shared driveway agreement/easements – Ron Trachtenberg requested an aerial photo from Town for this exhibit,

Portion of Grimstad Rd. to be vacated, etc.. Ron Trachtenberg requested an aerial photo from Town for this exhibit,

Others mentioned in documents and not listed here…….

Please provide these exhibits to the Town for review as soon as possible in preparation for the May 18, 2015 Town Board meeting. To-date, I don’t believe we have received any exhibits.

4. Need stand-alone deed restriction for Outlot 2 for current and future owners.

Ron, today I faxed to you a copy of the deed restriction for Padley lands, the 75% area for the Hidden Ridge Plat. This is Dane County Register of Deeds document 4171522 recorded 03172006. Please prepare such a deed restriction for the 75% area for Bella Vista Plat.

5. Development Agreement for Early Start

Ron, did you wish to propose an Early Start for the Bella Vista roadwork? If so, would you be willing to prepare the development agreement for this?

6. Well on Outlot 2. With the proposed discontinuance of the northern section of Grimstad Rd., the area once considered a cul-de-sac will revert to the adjacent property owners – Outlot 2 owners. A well is located in that general area believed to be a part of Outlot 2. The Town requests that the owners of Outlot 2 abandon the well.

7. Declaration of Covenants – specific comments below:

In 4.1 Residential Lots. Limits accessory uses to Home Occupations as listed in DCCO. This is in keeping with 4/28/15 conversation with Developers. Town concurs. While 6.20 speaks about limited family business-maybe a drafting error. 6.20 No offensive Trade – This section needs to eliminate all reference to limited family business. Home occupation is a permitted use in A-1. LFB…is very different and opens up many variables.

In 4.2 Open Space Outlot – States that use of Outlot 1 consistent with Town Ordinance “as same may be amended from time to time.” Does that mean that if the Ordinance were to change and eliminate the Option 3 rural cluster subdivision, Outlot 1 would be open for lots?

Neither Chris nor I like the use of the term ‘development’ in this section. Following change recommended:   
Add: Outlot One (1) shall not be divided or subdivided; it shall be restricted in perpetuity from further development. All uses, development, and structures within Outlot One (1) shall be consistent with Section 3.51 Open Space Design Standard…

(See the Town of Springdale Land Division and Subdivision Code line 270 Section 3.9 Common Open Space.)

In 6.6.Typo – last line should include “of’ grade of CTH PD

In 6.6. Maximum Building Heights: This section reference elevations for building heights. Please provide the elevations.

In 6.21 Signs. The Town Board has not been able to discuss this section and will do so on 5/18.

In 6.31 Tree Removal. I appreciate the willingness to save trees. I feel the description is vague. 12” as measured where? Otherwise, this is more restrictive than Town Ordinance so okay.

Chris and Vicki agree that the standards used to protect trees in this section is vague and the enforcement would be problematic. How do we know when more than 25% of the trees have been removed?

Chris suggests that the Developer prepare an Exhibit of the 30’ buffer along Grimstad Rd. by Lot 1 of the Plat and between Lot 1 of the Plat and Oglesby’s lot. Oglesby may wish to review this.

8. Joint Driveway Agreement – specific comments below:

8 a. Strike ‘a portion of’ in Whereas statement. It should read: Whereas, the Town of Springdale has vacated a portion of Grimstad Road north of the northern right-of-way line of Bella Vista Ridge as more particularly described on Exhibit A. Throughout the document, the phrase “existing drive portion’ should be stricken. It appears that folks did not realize the shared driveway is proposed to end at the point of Banik and Oglesby driveway.

8. b Strike Town as party to the Agreement after Now Therefore.

8. c. In Recitals 2. – “repaired as necessary to be kept in at least as good a condition as present”

Chris recommends this be changed to: The existing drive portion of the vacated portion of Grimstad Road as shown on Exhibit A-1 shall be reasonably maintained and repaired as necessary to be kept in at least as good a condition as present.

8. d. In Recitals 3 and 4, why is there special language re: Partial CSM Lot (Oglesby)? It seems like they have more responsibility?

Recitals 3 and 4 need to be redone to reflect the location of the shared driveway.

Draft language: The cost of maintaining and repairing the existing drive portion of the vacated portion of Grimstad Road in its present condition shall be divided as follows: …

Strike all between “Neither the owner of Outlot 2….improvements or expansion.”

Resume with cost apportionment for snow and ice removal.

Strike all of 4.

8. f. Recital 5: Strike the phrase The existing drive portion of the vacated portion of Grimstad Road…in both locations in Recital 5.

8. g. Neighbors were concerned about heavy ag equipment and excessive wear and tear on road so requested language to state that if the road were damaged, the entity damaging the road would be responsible to repair the damage.

8. h. Need to add dispute resolution language as found in the Town Driveway Ordinance.

Here is the language from the Town Private Driveway Ordinance:

“Shared Driveway Agreement. An agreement between the parties sharing any portion of a driveway that shall at a minimum address the rights of the parties concerning access and contain language addressing how any disputes or conflicts between the parties, or their heirs, successors or assigns will be resolved and furthermore shall contain language that absolves the Town from responsibility for or involvement in any dispute resolution.”

8. i. Could the Joint Driveway Agreement be entitled Joint Driveway Easement Agreement so that it is perfectly clear the different parties will be driving over others’ lands.

8. j. Does language needed to be added to clarify that owners of Lots 1 -9 of the Plat are not a party to the shared agreement? I might have misinterpreted the language; “to provide pedestrian, bicycle, and vehicular access to and from Grimstad Rd. to and from Outlot Two (2), Partial CSM Lot and the Lands. To me, this sounded like any one on Grimstad Rd. could use the common driveway to access Outlot Two (2).

8. k. With the shared agreement serving Bella Vista, Oglesby and Banik-Paul, is it understood that the Banik-Paul share could be for two lots if they choose to retain the potential density unit on their property?

9. Partial Vacation of Grimstad Rd. Agreement – specific comments below:

9. a. Cheryl Sutter, as a property owner within a certain distance to the discontinuance, shall sign the Vacation Agreement.

9. b. Part of the vacated Grimstad Road does accede to Banik and Outlot 2 as well as Oglesby.

There is the special situation in which Banik and Lot 1 of Bella Vista give their portion of the discontinued roadway to Oglesby to serve as his 66’ of frontage on an existing public way. But, North of that, Oglesby, Banik and Bella Vista have frontage on the portion of Grimstad Rd. to be vacated that is North of the driveways for Banik and Oglesby. Oglesby does not expect a shared driveway to course to his northern lot line.

10. Docs needed?

75% area deed restriction. Sent Ron Trachtenberg the Padley sample Deed Restriction from Hidden View Trail Plat

25% area deed restriction… The Declaration of Covenants does not specifically address the fact that Outlot One (1) shall be restricted in perpetuity from further development. See the Town of Springdale Land Division and Subdivision Code line 270 Section 3.9 Common Open Space. See additional language recommended in 7. re: 4.2 Open Space Outlot.

Waiver from notice for special assessments – addressed above.

Early Start Development Agreement – addressed above.

Development Agreement – Do we have a final form for this?

Special Assessment Agreement

11. Restated Articles of Incorporation and Restated Bylaws - okay

12. Town Engineer Brian Berquist and Developer’s Engineer, Tim Schleeper to discuss 04232015 comment letter from Town Engineer

13. Citizen request for clarification in the documents that no motorized vehicles shall be permitted on the trails on Outlot 2.

Motion to pass the resolution carried 3-0.

DRIVEWAY PERMITS: BELLA VISTA PLAT/BAKKEN GRIMSTAD LLC. AND N. AND B. HURLEY/PROPOSED BELLA VISTA RIDGE/SEC. 10: MOTION by Smith/Schwennn to approve Driveway Permit Parts 1 and 2 for the nine lots in the Plat to be served by the proposed new road, Bella Vista Ridge, with Lot 1 driveway access point set off 70’ from Grimstad Road and the shared property line. All driveways are to be constructed in conformance with the Town Driveway Ordinance and Driveway Construction Guide. Motion to approve carried 3-0.

PROPOSED DISCONTINUANCE OF A PORTION OF SINGLE-RESIDENCE DEAD-END ROADS: CRABB LANE, GRIMSTAD RD., HOLLFELDER DRIVE, AND RINGGENBERG DRIVE AND THE DISCONTINUANCE OF RENNEBOHM RD.

Overview of the discontinuance process: Since 2013, the Town has reviewed the policy of maintaining and snowplowing dead-end roads serving a single residence. The majority of such town roads, farm-to-market roads, were originally private driveways which were declared town roads when the town could finance road maintenance with the state town road aids. That is no longer the case since the cost of road maintenance greatly exceeds the state road aids received. The Town does not believe it is equitable to plow private driveways with taxpayers’ monies and the plow trucks have encountered obstacles while plowing some of the dead-end roads with private equipment parked on the edge of the right-of-ways. The simplest dead-end roads were discontinued in 2013. Since then, the Town has researched the discontinuance of the roads requiring surveying, discontinuance of only a portion of the road, construction of reverse-direction areas, etc. It has been the policy for the town to provide basic maintenance of the roadways prior to discontinuance by chipsealing and completing minor repairs. In addition, if a town road is needed for development according to the Plan, the roadway can be returned to town road status after any necessary upgrades to the roadway for the development are financed by the benefitting property owners.

Comments received but may not be limited to the following: The property owners request a map of the portions proposed for discontinuance. Some questioned where the recycling truck and/or school bus will turn around if the cul-de-sac portion of the dead-end road is discontinued. It was clarified that the resolution for discontinuance will be discussed at the June 29, 2015 Plan Commission meeting and at the July 20, 2015 Town Board public hearing.

MOTION by Smith/Schwenn to adopt RESOLUTION NO. 15052 TOWN OF SPRINGDALE DANE COUNTY, WISCONSIN

A RESOLUTION TO DISCONTINUE RENNEBOHM ROAD AND TO DISCONTINUE A PORTION OF

CRABB LANE, GRIMSTAD ROAD, HOLLFELDER DRIVE AND RINNGENBERG DRIVE LOCATED IN THE TOWN

OF SPRINGDALE, DANE COUNTY, WISCONSIN RECITALS:

A. It is in the public interest that the public way, Rennebohm Road, and a portion of the public ways: Crabb Lane, Grimstad Road,Hollfelder Drive and Rinngenberg Drive, 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 Rights-of-Way.

C. The discontinuance of the Rights-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 May 18, 2015. A Notice of Pendency of Application to vacate the Right-of-Way was filed with the Registry of Deeds for Dane County on May 18, 2015. 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 July 20, 2015.

E. This matter was referred for consideration and report to the Town of Springdale Plan Commission which considered and reported on this matter on June 29, 2015.

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

G. The public interest requires that 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. No Town Driveway Permit application shall be required for the vacated town road or vacated portion thereof. The vacated town road or vacated portion thereof shall continue as a private driveway and the Town shall approve and issue a Town Driveway Permit for the vacated town road address.

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.

CALL TO ORDER THE SPECIAL MEETING OF THE ELECTORS: Call to order by Eloranta, 8:26 p.m.

Purpose of special meeting: to amend the approved 2015 total highway expenditures pursuant to 82.03(2)(a) of Wis. Stats. The Town Board requests additional highway expenditures for roadwork on Grimstad Rd./Sec. 10. Since the budget hearing in Nov. 2014, the Town learned that the improvements to Grimstad Rd. triggered by the Bella Vista Plat would have to be managed by the Town since Grimstad Rd. is a town road and only the town can specially assess to recover the costs of the roadwork from the developer. The Town had not budgeted for this up-front cost. The TB has to ask the electors to approve these additional monies for the road work, as up-front costs. The up-front costs will be recouped from the benefitting property owners through the special assessment process.

The special assessments will be paid as a charge on the property tax bill for the benefitting property owners, spread out over eight years with 1% administrative fee and interest added. When a lot is sold, the special assessment shall be paid in full so the Town will not be carrying most of the debt for eight years.

Highway expenditures approved in the Nov. 2014 special meeting of the electors = the highway expenditures of $273,291.42 (entire category of public works) + $160,000.00 (new truck and equipment) + $30,000.00 (salt shed we thought we would have to build) = $463,291.42.

Up-front costs for Grimstad Road work:

Town Engineer has estimated costs as: $124,187.00 Grimstad Rd. from CTH PD to turn off for Bella Vista Ridge

34,000.00 Portion of Grimstad Rd. to be discontinued

Total estimated sum: $158,187.00.

MOTION by T. Brunner/C. Sutter to increase the road budget/highway expenditures by $169,000.00 for the Grimstad Rd. improvements. Discussion: It was generally agreed to approve a slightly higher sum than the engineer estimated in case of unexpected expenses with the Grimstad Rd. work. Motion carried unanimously by voice vote of electors.

ADJOURN THE SPECIAL MEETING OF THE ELECTORS AND RESUME THE TOWN BOARD MEETING: by Eloranta.

BILLS/GRIMSTAD RD. PROJECT AND ANTICIPATED EXPENSES AND REIMBURSEMENT: MOTION by Smith/Schwenn to approve. Motion carried 3-0.

APPOINTMENT OF PLAN COMMISSION MEMBERS: MOTION by Eloranta/Schwenn to reappoint Plan Commissioners Jim Hanson and Denise Sullivan to the Plan Commission for the standard three-year term contingent upon their acceptance of the appointment. Motion to appoint carried 3-0.

CALL TO ORDER THE 2015 BOARD OF REVIEW SINCE THE ASSESSMENT ROLL IS NOT COMPLETE AT THIS TIME AND ADJOURN UNTIL JUNE 23, 2015, 5 P.M. MOTION by Eloranta/Smith to call to order and adjourn the BOR until the set time, June 23, 2015, 5 p.m., since the assessment roll is not complete at this time. Motion carried 3-0.

ADJOURN: MOTION by Schwenn/Smith to adjourn. Motion carried, 3-0.

Respectfully submitted, Vicki Anderson, Town Clerk