MINUTES OF THE SPRINGDALE TOWN BOARD MEETING, Sept. 19, 2016

IN ATTENDANCE: Town Board Chair Ed Eloranta 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 9/15/16 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 9/15/16*.* In addition, the lengthy notice requirement for the discontinuance of a portion of East First Street was met.

MINUTES: MOTION by Schwenn/Eloranta to approve the minutes as distributed of 8/22/16. MOTION carried 2-0.

PUBLIC INPUT: NON-AGENDA ITEMS: Residents of Lunde Lane listed the following concerns about a property on Lunde Lane – a dog that runs at-large, excessive amounts of trash at the back of the house and at the roadside, car repairs conducted in the residential garage, many visitors and vehicles on the property at various times, etc. Coincidentally, the Town had been contacted by Town and Country Sanitation that excessive amounts of trash were being left at the roadside, quantities that exceed the contracted amount for pickup. Therefore, the Town will contact the property owners to share information with them about the various ordinances/contracts for trash pickup and keeping dogs under control. The concerned neighbors will contact the developer who created the lots to remind the new residents of the private development agreement for the property. Dane County Zoning will be contacted regarding appropriate uses on the property.

PUBLIC HEARING: DISCONTINUANCE OF UNDEVELOPED PORTION OF EAST FIRST STREET IN MT. VERNON:

motion by Schwenn/Eloranta to adopt RESOLUTION NO. 16071, TOWN OF SPRINGDALE DANE COUNTY, WISCONSIN

A RESOLUTION TO DISCONTINUE A PORTION OF EAST FIRST STREET LOCATED IN THE TOWN OF SPRINGDALE,

DANE COUNTY, WISCONSIN RECITALS:

A. It is in the public interest that a portion of East First Street, shown and described on the diagram and legal description attached hereto and incorporated herein is vacated and discontinued in the Town of Springdale, Dane County, Wisconsin, under 66.1003(4).

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

C. The discontinuance of 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 July 18, 2016. A Notice of Pendency of Application to vacate a portion of the Right-of-Way was filed with the Registry of Deeds for Dane County on July 18, 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 Sept. 19, 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 Aug. 29, 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 portion 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.

Motion to approve carried 2-0.

SPRINGDALE COMMITTEE ON UTILITIES IN the RURAL ENVIRONMENT, SCURE: REPORT TO Tb/budget for mailing to citizens: Rod Hise, Chair of SCURE, provided a recap to the TB about the activities of the committee which include, but may not be limited to the following: \*The committee will meet the second Tuesday of the month at 7 p.m. in the town hall. The public is invited. \*ATC has reduced the preliminary corridors from 4 to 2; one crosses through Springdale from CTH S to US Hwy. 18/151 and the other crosses through the Town of Vermont. So, the 45 properties within the preliminary corridor in Springdale will be sent a letter and all property owners in Springdale will be sent information, too. The letters inform the citizens of the committee and the preliminary corridor in Springdale, invite them to participate and request their input about the potential impact of the electric transmission line on important resources and features here. MOTION by Eloranta/Schwenn to approve the communication and the budget. Discussion: The letters will be mailed and emailed when email address is available. Since the Town will be sending out information for voting on Nov. 8, 2016, the addition of the SCURE letter and map in that communication will not increase the cost to the Town. Motion carried 2-0.

M. WILSMAN/AGREEMENT TO TURN AROUND IN DRIVEWAY/ALLEN DR./SEC. 14: MOTION by Schwenn/Eloranta to approve the following agreement to present to M. Wilsman to allow the Town snow plow vehicles to change direction on her private driveway. Discussion: Since the DNR prohibits the discontinue of the portion of Allen Drive serving a single property owner due to the location of a navigable stream along the road, the Town cannot construct a public reverse-direction area and will not snow plow around the private driveway circle. This agreement is modeled after the agreement for Hollfelder Drive.

LIMITED USE OF DRIVEWAY EASEMENT AGREEMENT

This Limited Use of Driveway Easement Agreement (the “Agreement”) is made as of this 19th day of September, 2016 (the “Effective Date”) by and between Margaret J. Wilsman (“Wilsman”) and the Town of Springdale, Dane County, Wisconsin (the “Town”). Recitals

A. Wilsman is the owner of the property located at 2674 Allen Drive in the Town (the “Property”). A legal description of the Property is attached hereto and incorporated herein as Attachment A.

B. Wilsman has installed a driveway on the Property that connects to the end of Allen Drive in the Town (the “Driveway”). The Driveway is depicted on the aerial photograph attached hereto and incorporated herein as Attachment A.

C. The Town plows and removes snow and ice from Allen Drive. Allen Drive is a dead end road and there is no area at the end of the road at which the Town’s snow and ice removal equipment (the “Equipment”) may safely turn around or reverse direction.

D. The Town wishes to be able to use the Driveway in order to allow the Equipment to safely turn around and reverse direction on Allen Drive.

E. Wilsman desires to grant the Town such use of the Driveway.

Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Wilsman and the Town agree as follows:

1. Grant of Easement. Wilsman grants and conveys to the Town for the benefit of the Town and the Town’s employees, agents, and contractors, a perpetual, non-exclusive easement for the Equipment to use the Driveway to turn around and reverse direction on Allen Drive (the “Easement Area”).
2. Continued Use. Wilsman shall have the right to use the Driveway and Easement Area in any manner that does not interfere with the reasonable use of the Easement Area by the Town.
3. Binding Effect; Amendment. This Agreement sets forth the entire understanding and agreement of Wilsman and the Town regarding the subject matter hereof. The covenants contained in this Agreement and the easement established under this Agreement: (a) shall run with the land and shall bind and inure to the benefit of Wilsman and the Town and their respective heirs, successors and assigns; and (b) shall be amended, modified, or terminated, by the Town and the owner of the Property in a written document recorded with the Register of Deeds of Dane County.
4. Governing Law. This Agreement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
5. Waiver/Non-Use. No delay or omission by either party in exercising any right or power under this Agreement shall be construed to be a waiver of the right or power. Waivers shall only be in writing. The Town’s non-use or limited use of the rights granted in this Agreement shall not prevent the Town from the later use of such rights to the fullest extent authorized in this Agreement.
6. No Public Dedication. Nothing in this Agreement shall be deemed to be a gift or dedication of any of the Driveway or Easement Area to the general public.

7. Recording of Agreement. The Town may, at its expense, record and re-record this Agreement or a notice of this Agreement

with the Register of Deeds for Dane County. Motion to approve 2-0.

DENTAL INSURANCE FOR TOWN PATROLMAN THROUGH LOCAL GOVERNMENT POOL: MOTION by Eloranta/Schwenn to participate in the Wisconsin Group Health Plan to offer medical and dental insurance to the Town Patrolman in 2017. Discussion: Historically, the Town has provided medical and dental insurance coverage for the Town Patrolman with the employee contributing to the cost. In 2016 there was change in procedure in the group program and the Town did not enroll in time to participate in the group dental insurance and had to secure private dental insurance. This action will remedy that. Motion carried 2-0.

REQUEST FOR PROPOSAL – ASSESSOR SERVICES: INFORMATION ONLY: Since the two-year contract with Gardiner Appraisal Service is up for renewal on Dec. 1, 2016, this is an appropriate time to compare service options. Various firms will be contacted for a request for proposal.

BROADBAND SPECIAL COMMITTEE: INFORMATION ONLY: Since some areas in Springdale have poor internet service, the Town wishes to form a special committee to explore improving broadband service. The Wisconsin Towns Association and other municipal organizations are researching options. Citizens willing to help by participating on a committee are encouraged to contact the Clerk.

FIRE DEPARTMENT: INFORMATION ONLY: Mike Lamberty, Town representative on the Fire District Board encourages citizens to attend the various open houses and view the MHAJFD website, [www.fdmh.org](http://www.fdmh.org), to learn more about the proposed Mt. Horeb Fire Department Joint Public Safety Building. The following question will appear on the Nov. 8, 2016 ballot.

Question 2: Should the Town of Springdale participate in the Mt. Horeb Fire Department Joint Public Safety Building project to provide space for the fire department and emergency medical services which provide services in the Town of Springdale, at the cost to the Town of up to $2,183,558, (includes principle and interest) financed up to 40 years?

BILLS: MOTION by Schwenn/Eloranta to pay the bills. Motion carried 2-0.

Announcement – Absentee voting in town hall: Town of Springdale

Vicki Anderson, Clerk

2379 Town Hall Road

Mount Horeb, WI 53572

Absentee Voting hours: Monday thru Friday

Oct 24-28 & Oct. 31-Nov. 4, 4-7pm

Sat. Oct 29 & Nov. 5, 9am-noon

During office hours: Tuesdays 2-5pm

Or by appointment: 437-6230

ADJOURN: MOTION by Schwenn/Eloranta to adjourn. Motion carried 2-0. Respectfully submitted, Vicki Anderson, Town Clerk