MINUTES OF THE SPRINGDALE TOWN BOARD MEETING, Sept. 21, 2015

IN ATTENDANCE: Town Board Chair Ed Eloranta and Supervisor II Richard Schwenn (A quorum is present.) and Clerk Vicki Anderson for the start of the meeting. Upon nomination and appointment of Mike Fagan as Town Board Supervisor I, the three member Town Board was in attendance. 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 9/17/15 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 notice of the meeting was published in the *Mt. Horeb Mail* on 9/17/15*.*

MINUTES: MOTION by Schwenn/Eloranta to approve the three minutes as distributed of 8/17, 8/24, and 9/14/20/15. MOTION carried 2-0.

NOMINATION/ACTION FOR TOWN BOARD SUPERVISOR UPON RESIGNATION OF JEFF SMITH:

MOTION by Eloranta/Schwenn to appoint Mike Fagan as Town Board Supervisor I for the completion of Jeff Smith’s term on the Town Board and as the liaison from the Town Board to the Plan Commission effective immediately. Discussion: The Town received the written resignation letter from Jeff Smith the second week in September. The law states that the Town Board appoints a new supervisor until the next regularly scheduled election in April, 2017. In nominating Fagan, Eloranta listed Fagan’s qualifications as a member of the PC since 2008, a volunteer on the previous Transfer of Development Rights committee and a volunteer chair for the newly formed PC committee to work on an amendment to the Plan to better preserve agricultural lands. “He can hit the ground running.” Motion to approve carried 3-0 (Eloranta, Schwenn, Anderson – This is a rare instance when the Town Clerk votes when a three-member Board has been reduced to two members.)

MOTION by Fagan/Eloranta to approve the letter to Jeff Smith thanking him for his service to the Town. Discussion: Jeff’s list of service includes, but may not be limited to the following: 2008- Transfer of Development Rights Committee, 2009- Hazard Mitigation Plan – Citizen Advisory Committee, 2010- 2013 - Citizen Member – Plan Commission, 2013- Elected Town Board Supervisor and assumed Town Board representative on the Plan Commission, and 2015 – Reelected Town Board Supervisor and continued as Town Board representative on the Plan Commission. Motion to approve the letter carried 3-0.

FIRE DISTRICT UPDATE/DISCUSSION ONLY: A. Mike Lamberty, Town representative to the MHAJFD Board updated the TB on the following fire district matters:

\* Budget – An increase of 6.5% is anticipated with the Town of Springdale responsible for approximately 23% of the budget costs due to the town population served by the fire district. The annual fire district budget meeting will be held on Wednesday, Sept. 23, 2015,

7 p.m. at the fire station. The fire district has sold some older vehicles to be replaced by different types and newer vehicles, all of which is handled within the equipment fund in the budget.

\*Proposed new fire station – The study continues to build a new fire station with the Village of Mt. Horeb Police Department as part of the building. A study commissioned by the Village suggests a savings of $880,000.00 with the joint use of kitchen, exercise, meeting spaces and shared expenses in site preparation and mechanicals – heating, plumbing, electricity, etc. The initial price tag for the joint use building and land is $7.5-8 million for all taxpayers in the fire district and the Village costs for the police station as a separate line item for Village taxpayers only. The fire district has entered into a two-year purchase agreement with Premier Co-op for a 4.5 acre parcel, the size deemed necessary for the proposed building, equipment parking, etc. The fire district is considering putting the question of a fire station/police station to the voters in a non-binding referendum in November, 2016.

B. FIRE DEPT. CITATION ORDINANCE WITH SCHEDULE FOR PAYMENT OF VIOLATION COSTS/DISCUSSION ONLY: More research is needed to develop the schedule of citation fees for fire code ordinance violations.

DRIVEWAY PERMITS:

A. D. AND M. PERKINS/CTH J/SEC. 23: MOTION by Schwenn/Fagan to approve the Driveway Permit Part 2. Discussion: Driveway Permit Part 1 and the shared driveway easement agreement were obtained by D. Midthun, the developer, and are on file in the town hall. The driveway shall be constructed in conformance with the Driveway Construction Guide and Driveway Ordinance. Motion carried 3-0.

B. G. VADYAK LANDS – T. AND J. LAST: KOLLATH RD./SEC. 26: MOTION by Schwenn/Fagan to approve the Driveway Permit Part 1 & 2 for a driveway on Kollath Rd. at the center of the lot within 30’ each way. Discussion: This driveway shall replace an existing driveway farther to the North. This existing driveway near the northern lot line shall be designated as field access only, no residential/commercial use. The driveway shall be constructed in conformance with the Driveway Construction Guide and Driveway Ordinance with specific attention to the requirements for a culvert within the road right-of-way due to water flow down the hill. Motion carried 3-0.

APPOINTMENT OF PLAN COMMISSION MEMBER UPON RESIGNATION OF JEFF SMITH: MOTION by Eloranta/Fagan to appoint Amy Jester to the Plan Commission to replace the PC seat vacated by Mike Fagan with his appointment to TB. Discussion: Amy is a newer resident in Springdale and has expressed an interest in the position. Motion carried 3-0.

TOWN OF PRIMROSE/SHARED RESPONSIBILITIES/LIBERTY STREET/SEC. 34 – DUE TO PROPOSED DEVELOPMENT IN PRIMROSE: DISCUSSION ONLY: Springdale Town Board members Eloranta and Schween attended the Primrose Town Board meeting on Sept. 14, 2015, 8 p.m. There they jointly discussed the process to specially assess the benefitting property owners in both towns for any road upgrade needs driven by a proposed new development in Primrose and to make this a condition of lot approval by the Primrose TB. The lawyers would craft the necessary legal language. It was generally understood that Springdale does not want the Springdale taxpayers to pay for road improvement for new Primrose development.

BELLA VISTA FINAL PLAT DOCUMENTS/GRIMSTAD RD./SEC. 10/DISCUSSION ONLY: The Town was informed by a realtor for Bakken Grimstad LLC. of Freeport, IL, the owners of the Bella Vista Plat land, that Noah and Becky Hurley, the agents for the project, have walked away from the project. In regards to the next steps, the Town is awaiting the decision of the landowners. The Town is owed approximately $9000.00 in costs incurred by the review of the project and it is generally understood that these costs shall be paid before further action by the Town.

REVIEW OF FEE STRUCTURE FOR SITE VISITS, CSM, CUP, DRIVEWAYS, REZONING APPLICATIONS: MOTION by Fagan/Schwenn to approve the resolution for fees as follows:

A RESOLUTION TO ADOPT FEES PURSUANT TO THE TOWN OF SPRINGDALE CODE OF ORDINANCES TITLE 9, CHAPTER 3.16 ADMINISTRATIVE FEES

WHEREAS, the Town has completed a comprehensive review of its land use plan and Title 9, chapter 3, Land Division and Subdivision Ordinance contained in the Town Code of Ordinances (“Chapter 3); and

WHEREAS, Subchapter 3.16 Administrative Fess provides for fees to be established by resolution of the Town Board.

NOW, THEREFORE, based on the above the Town Board of the Town of Springdale, Dane County, Wisconsin, does hereby resolve as follows:

1. The land divider shall pay a fee of $200.00 to the Town Clerk at the time of submission of the preliminary certified survey map to assist in defraying the cost of review.

2. The subdivider shall pay a fee of $250.00 and $25.00 per preliminary plat lot to the Town Clerk at the time of submission of the preliminary plat to assist in defraying the cost of review. The subdivider shall pay a fee of $200.00 to the Town Clerk at the time of submission of the final plat.

At the time of submission of a preliminary plat, the subdivider shall deposit with the Town Treasurer the sum of Two Thousand Dollars ($2000.00) either in the form of cash or an unconditional letter of credit acceptable to the town Board. The Town shall apply such funds toward payment of any and all costs incurred by the Town in reviewing and approving any plats, including any plans with respect hereto. Such costs shall include the costs of its own engineers, attorneys, inspectors, agents, subcontractors of other employees computed on a pro rata hourly basis. Upon final approval of the plat or upon abandonment of the plat and prior to final approval (including abandonment due to rejection by any reviewing agency), the Town shall furnish the subdivider with a statement of all such costs incurred by it with respect to such plat. Any excess funds or credit shall be remitted to the subdivider or shall be released by the Town, and any and all costs in excess of such deposit shall be paid by the subdivider.

3. At the time of submission of a driveway permit application the applicant shall pay a fee of $100.00 to the Town Clerk to assist in defraying the cost of review.

4. At the time of submission of a conditional use permit application the applicant shall pay a fee of $200.00 to the Town Clerk to assist in defraying the cost of review.

5. At the time of submission of a rezoning application the applicant shall pay a fee of $200.00 to the Town Clerk to assist in defraying the cost of review.

6. At the time of request for a site visit the applicant shall pay a fee of $200.00 to the Town Clerk to assist in defraying the cost of review.

7. The fees for #1 - #6 above shall be valid for one year. When the review/action of an application is not completed within one year due to applicant’s action or lack of action, the applicant shall be reassessed the application fee in #1-#6 above with the beginning of the second year of review, unless waived by the Town Board.

8. The Town finds that applications for zoning amendments, conditional use permits, driveway permits, certified survey maps, or modifications of previous land use permits present complex issues. The Town Plan Commission and Board should have expert consultants available to assist the Commission and Board. The Commission and Board should not be dependent on opinions of consultants working for the applicant or other agencies. However, it is not fair for the taxpayers to pay the cost of hiring such consultants when the benefit accrues largely to the applicants. Therefore, it is the Town’s policy that all Expenses incurred by the Town in reviewing various land use applications shall be paid by and recovered by the Applicants.

9. When Town action is requested and/or required to bring a noncompliant property into compliance, the fees for a driveway, conditional use permit, and rezoning shall be double the fees listed in #1-#6 above. Motion to approve carried 3-0.

REAPPLICATION FOR TRUCK EQUIPMENT LOAN: Bureau of Commissioners of Public Lands loan application and borrowing resolution for snowplow equipment:

FORM OF RECORD: the following preamble and resolutions were presented by Supervisor Ed Eloranta and were read to the meeting. By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality is defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

MOTION by Fagan/Schwenn to approve the foregoing resolution and preamble approving and authorizing an application for a loan to finance a snowplow truck equipment for procurement of funds from the Board of Commissioners of Public Lands.

“THEREFORE, BE IT RESOLVED, that the Town of Springdale, in the County of Dane, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Twenty Seven Thousand Nine Hundred Thirty and 50/100 Dollars ($27,930.50) for the purpose of financing the purchase of snowplow equipment and for no other purpose.

The loan is to be payable within 3 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 3.00 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the Town of Springdale, in the County of Dane, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the Town of Springdale by such loan from the state be applied or paid out for any purpose except financing the purchase of snowplow equipment without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the chairman and clerk of the Town of Springdale, in the County of Dane, Wisconsin, are authorized and empowered, in the name of the Town to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the Town pursuant to this resolution. The chairman and clerk of the Town will perform all necessary actions to fully carry out the provisions of Chapter 24 Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the “aye” and “no” vote by which they were adopted, be recorded, and that the clerk of this Town forward this certified record, along with the application for the loan to the Board of Commissioners of Public Lands of Wisconsin.” Motion carried: Eloranta-aye, Fagan-aye, Schwenn-aye, 3-0. A majority of the Town Board of the Town of Springdale, in the County of Dane, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.

Discussion: The borrowing and loan for this purchase had been previously approved but the request for disbursement was not made within a four month period, as required. The Clerk had hoped to minimize interest charges and waited to request the second disbursement for the snowplow equipment when the equipment was complete.

RENEWAL OF MOU BETWEEN DANE COUNTY CLERK OFFICE AND TOWN OF SPRINGDALE FOR WISVOTE (SVRS) RESPONSIBILITIES 2016-2017: MOTION by Fagan/Schwenn to approve the renewal of the Memorandum of Understanding (MOU) between Dane County Clerk office and the Town of Springdale for voter registration duties for all elections in 2016-2017. Motion carried 3-0.

BILLS: MOTION by Schwenn/Eloranta to approve the bills. Motion carried 3-0.

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