

TOWN OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN  
**APPROVED MINUTES OF MAY 17, 2010 TOWN BOARD MEETING**

**CALL TO ORDER & DECLARATION OF OPEN MEETING:**

Meeting called to order by Chair David Gartman at 6:01 p.m. The Town Clerk confirmed open meeting notice.

**PRESENT:** Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Treasurer Laurie Pankratz and Clerk Cheryl Rostollan. Also in attendance were Town Attorney, John A. St. Peter, and various members of the public.

**PLEDGE OF ALLEGIANCE** was recited.

**PUBLIC COMMENT:**

Chair Gartman solicited input from supervisors. The board came to a consensus that each party who signed up to participate in public comment be provided three (3) minutes to state their opinion. The board heard public comments from 25 parties, residents and non-residents. All but one of the public comments were directed toward the Mirza Conditional Use Permit issue.

**APPOINTMENTS/NEW BUSINESS:**

Motion by Senkbeil to hold off on agenda items 5 to 14 until after business has been concluded on agenda items 15, 16 and 17; second by Sommer; motion carried with no abstentions or nay votes.

15. Dr. Mansoor Mirza, CUP Application for Semi-public use, 9110 Sauk Trail Road, Oostburg – Dr. Mansoor Mirza was present with his legal counsel, Attorney Ryan Zinkel, and Dick Hammes, his architect for the improvements to bring the building into compliance. Dick Hammes confirmed the maximum building occupancy as 96 persons with 21 parking stalls. Attorney St. Peter reviewed potential storm water issues with Dr. Mirza if additional impervious surface would be added in the future and Dr. Mirza concurred that if he were to add impervious surface in the future he would not have a problem paying for a storm water review and that he would comply with all local, state, county and federal laws. Attorney St. Peter did not identify any issues raised in public comment that were relevant to land use issues and we are prohibited by law to look at the religious purposes of this facility and the purpose. The town is bound by both federal and state law. Motion by Sommer to grant the Conditional Use Permit application of Dr. Mansoor Mirza subject to the conditions set forth by the Town of Wilson Plan Commission as read by Attorney John St. Peter; second by Senkbeil; discussion; motion carried with no abstentions or nay votes.
  
16. Charles Martell, Conditional Use Permit application for installation and operation of 10kW Ventera Residential Wind Turbine mounted on a 110' freestanding lattice tower with waiver of security fencing – Randy Faller and Maureen Faller from Kettleview Renewable Energy appeared on behalf of the applicant. Jim Buchholz from Kohler Andrae State Park did not receive hearing notice of this, he was not aware of this until today and he is requesting additional time to research potential effects to wildlife. Supervisor Senkbeil would like to observe a similar wind turbine to what is being proposed and was provided with a location (1/8 mile from CTH A on Silver Creek/Cascade Road, just south of CTH A, white & yellow, the blade diameter is a little larger). Faller provided a copy of a letter from the WI DNR that provided a study regarding the impact of small wind turbines on wildlife and he objected to the WI DNR's request to delay this installation. Faller also objected to the additional insurance cost with adding the Town of Wilson to the policy as it will increase the annual insurance costs to the resident. Motion by Senkbeil to table further consideration of application until the June 7, 2010 Town Board meeting; second by Sommer; motion carried with no abstentions and no nay votes. *Attorney John St. Peter requested that Jim Buchholz copy the applicant with*

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SHEBOYGAN COUNTY, WISCONSIN  
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*information gathered by Kohler Andrae State park officials and that the Town Clerk provide Mr. Buchholz with the application documents.*

17. Jim Buchholz, WI DNR, Kohler Andrae State Park regarding Town of Wilson Ordinance for Electric Car – information provided to entire board. Ordinance requested for NEV operations in Kohler Andrae State Park for law enforcement. Vehicles must be titled by the WI DOT and operated by a licensed driver and under a local ordinance. Sample ordinance provided only applies to state park roads. Motion by Gartman to approve sample ordinance provided by Mr. Buchholz and adopt as Town of Wilson Ordinance, Chapter 4, Ordinance for the Town of Wilson Permitting Neighborhood Electric Vehicles (NEVs); second by Senkbeil; discussion; motion carried with no nay votes and no abstentions.
5. Treasurer – Laurie Pankratz provided Cash Summary Report effective 5/17/2010, detail will be provided ;
6. Clerk – Financial and written report provided by Cheryl Rostollan.
7. Constable – no report
8. Plan Commission – no report
9. Park & Forestry Commission – no report
10. Wage, Salary & Benefits Commission - No report (*Put board action on minutes from previous Wage, Salary & Benefits Commission meeting on next Town Board Agenda*)
11. Long Range Planning – no report
12. Black River Fire Department – no report
13. Town of Wilson First Responders – no report
14. Maintenance (Snowplowing/Roads/Maint. Site/Bldgs. – Rick Meyer provided report regarding upcoming project on Prange Road and required postings for Prevailing Wage. Reported on proposed changes addressed with property owners on Sauk Trail Road and the upcoming betterment project. *Meyer will contact Nahn & Assoc. regarding the proposed drainage project in the area of Maple Lane.* Meyer also provided estimates provided by Sheboygan County and requested input from the board on how to proceed with Motel Road, additional proposals. *Flader Hill Cemetery, no response received to date from Mark and Carol Gartman - put this on future Town Board agenda.*
18. Sheboygan County Highway Department - Discussion/consideration of sidewalk on the west side of CTH “OK” – Resolution - Motion by Senkbeil to advise Sheboygan County that the Town of Wilson waives sidewalks on the west side of CTH OK; second by Sommer; motion carried with no nay votes and no abstentions.
19. Claudia Bricks and William Mc Cormick resignations were previously received. Clerk to check on Gary Leonhardt’s appointment, whether or not it was interim or for the upcoming three-year period. Chair Gartman appointed Guy Jones and Andy Schuessler to serve on Wage, Salary & Benefits Commission for the next appointment period, through May 31, 2013. Chair Gartman appointed Guy Jones as commission Chair. Chair Gartman appointed Heidi Brake and Terry Shircel as commissioners through May 31, 2013.
20. Disbursements:
  - a. Check on hold: none
  - b. Black River Fire Department: Motion by Sommer to approve as presented; second by Senkbeil; motion carried with no nay votes or abstentions.
  - c. Town of Wilson First Responders: Motion by Senkbeil to approve and accept disbursements for the Town of Wilson First Responders as printed; second by Sommer; motion carried with no nay votes or abstentions.

TOWN OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN  
**APPROVED MINUTES OF MAY 17, 2010 TOWN BOARD MEETING**

- d. Town of Wilson: Motion by Senkbeil to pay May 17, 2010 disbursement in the amount of \$21,199.65; second by Gartman; motion carried with no abstention or nay votes.
21. Town of Wilson Hosting of October 2010 Sheboygan County Town's Association Meeting – *No action taken, put on June 7, 2010 agenda with clerk to check availability and cost of facilities including churches, Campus Life, Breaking Bread.*
22. Road/building/maintenance:
- a. 2010/2011 Snow Plowing Contract – Rick Meyer presented progress, no action taken.
  - b. Lake Aire 4 – pavement completion – No discussion or action
  - c. Lake Aire Drainage – No discussion or action. *Gartman requested that legal counsel appear by telephone at the next meeting regarding Lake Aire 4 roads and drainage.*
  - d. Correction of drainage problem and replacement of wall tiles for Town Hall – The north stairwell is looking wet again, the ceramic tiles on the basement wall are falling off. Potential fixes may include: design a tile drainage system, contact neighbors, Gus and Ruth Knabe; install a textured wall (versus re-tiling); correct water problem before fixing the hall basement; contract with a company (similar to "Everdry") who would install a rubber liner on the leaking wall. *Clerk to write a letter to the Knabe's and Meyer to contact the Knabe's regarding potentially installing drainage tile. Keep this matter on future agendas until it is resolved.*
23. Black River Fire Department Grant Award for Wildland Gear & Tools and fire station exhaust system – no further information – *Clerk to put together information to provide WI DWD submission.*
24. Review/renewal of existing Conditional Use Permits:
- a. Serenity Farms/Andy Kissel, 2803 Old Park Road, Operate compost/wood processing facility – Gartman recused himself from the table and discussion. No action taken, a *Special Town Board Meeting is scheduled with Mr. Kissel and the supervisor for Wednesday, May, 26, 2010 at 7:30 p.m. in the Town Office.* Gartman returned to the table and discussion.
  - b. Bill Reedy, 9334 S. Sandwood Lane, Oostburg, Guest quarters in detached garage – *No action taken, postpone until next agenda.*
  - c. Mary Hilbelink, 6727 S. Business Dr., Operation of an air strip - Larry Hilbelink requested that this matter be postponed until the next agenda to enable the family who jointly own the property to address this matter. *Request granted; put on the June 6, 2010 agenda.*
25. Brush/tree trimming/clean-up at former Town of Wilson Landfill Site – Gartman recused himself from the table and discussion. Tom Kultgen, Park & Forestry Commission requested to speak and he also provided the board with pictures of the property. The City has installed additional dirt along the fence line. Meyer provided the board with proposals to clean up the wood and brush on the property. Motion by Senkbeil to accept proposal #207 submitted by Dennis Den Dekker as submitted; second by Sommer; discussion - DenDekker would rather go into the property from Moenning Rd. which the board conceded to and DenDekker verified that his insurance coverage includes all of his employees; motion carried with no nay votes and an Gartman abstaining from voting. DenDekker will work directly with Meyer on this project, versus the town board. Mike Rammer brought to Meyer's attention that water pools in an area and sits stagnant during the hot seasons and asked if the Town would have a liability if the standing water affects their dogs. Gartman returned to the table. The area that contains pooled water could be fenced. *Meyer to complete an assessment regarding the area that contains stagnant water and report to Park & Forestry and the City of Sheboygan.*
26. Complaint from Mike Cullen, 2055 Lake Court – *Clerk to send a letter informing them this is a nuisance, copying Mike Cullen (not to address the painting).*

TOWN OF WILSON  
SHEBOYGAN COUNTY, WISCONSIN  
**APPROVED MINUTES OF MAY 17, 2010 TOWN BOARD MEETING**

27. Complaint from Karen Doering, 3000 Whispering winds regarding drainage – Meyer provided board with the Rammer Pond Development Agreement. Developer to be contacted, as the drainage issue is their responsibility until development of all the lots has been. *Consensus - provide the Developer with a letter requesting a response no later than June 16, 2010, or alternatively to make an appointment with the Town Clerk to be on the agenda for the June 21, 2010 Town Board Meeting.*

**ADJOURN:**

Motion by Gartman to adjourn; second by Senkbeil; motion carried and meeting adjourned at 9:58 p.m.

Minutes submitted by: Cheryl Rostollan, Clerk

APPROVED