

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF JUNE 6, 2011 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Chair Gartman called the meeting to order at 6:03 p.m., posting in accordance with open meeting law was confirmed with clerk and the meeting was declared an open meeting.

PRESENT: Chair David Gartman, Supervisor Michael Bergin, Supervisor Dale Sommer, Supervisor David Senkbeil, Supervisor Brian Hoffmann, Treasurer Laurie Pankratz, Maintenance Supervisor Rick Meyer, Town Attorney Paul Rosenfeld and Clerk Cheryl Rostollan.

Also present: Interested parties and town residents.

PLEDGE OF ALLEGIANCE was recited.

PUBLIC COMMENT SESSION:

- Daniel Brand, 5228 CTH A, Sheboygan Falls, WI – Questioned whether there is anything in the Alliant CONDITIONAL USE PERMIT covering the fees if compliant issues arise. Also, provided the board with a written copy of his concerns.
- Brenda Worachek, 4825 Weeden Creek Road, her property is no longer on the list to be tested and she would like it added back to the list for testing.
- Norm Trempe, 4939 Weeden Creek Rd. – Would like to be on the well-testing list.
- Allen Gartman, 5916 Cart Path Rd – Questioned agenda item 9.
- Chang Her, 5404 CTH A, Sheboygan Falls – Asked to have his property added to the list for testing.
- Mike Schnur, read a statement regarding his concern about Alliant's dumping into Weeden Creek. Has purchased a new home in the City of Sheboygan due to concerns on his family's health.

APPOINTMENTS / NEW BUSINESS:

1. Cathy Schnur, regarding Alliant Energy/WP&L Ash Disposal Site at 5400 Frontage Road, Sheboygan – Schnur provided a copy of the 5/29/08 CONDITIONAL USE PERMIT renewal and 7/7/1983 correspondence from the clerk at that time, Marge Pearce, to Attorney Kate Reynolds. Discussion regarding terminology and understanding line 20 of the original permit. No town board action taken.
2. Conditional Use Permit renewal for Alliant Ash Disposal Site on 5400 Frontage Road – Introductions provided by town's attorney, Paul Rosenfeldt of Ted Shonts, Michael Grieveldinger (Alliant), Frank Schultz (WI DNR), John Faglio (US EPA), Eric Sandvig (Alliant) Chris Hatfield (Bonestroo). Rosenfeldt provided his draft thus far. Discussed dust management. Sommer requested consideration to adding "unless WP & L would join one of the sanitary districts" to #23 in Rosenfeldt's draft and using a culmination of the WI DNR's outlines in its code and the US EPA's regulations as a framework for the Conditional Use Permit. Gartman asked if this board and the upcoming board could work with an attorney or consultant for consistency for renewal of Alliant's CONDITIONAL USE PERMIT with the fees up front and reimbursed by Alliant. Discussion regarding Alliant's intention to add "FGD" to the landfill and the potential impacts of this and if it is found to be hazardous. Gartman cited such as cell towers, large farms, wind turbine, and ash disposal sites and a town's options if they are chosen as a spot. Rosenfeldt explained the process a town shall take if they are chosen as a landfill site. Frank Schultz, WI DNR, explained a community's rights. John Faglio explained his area of authority as the US EPA; if the EPA is doing a clean-up the US EPA is required to receive public comment. Faglio's specialty is hazardous waste clean-up. If the town requests public input the EPA would be willing to assist, as well as the WI DNR. Rosenfeldt requested enlightenment regarding FGD and the best options for disposal of FGD. The intent of the Conditional Use Permit is to identify all wastes to be disposed of in the landfill. Grieveldinger noted that the WI DNR has addressed FGD at their Weston facility and that WP & L modified its Plan of Operations and explained WP & L's concerns with Rosenfeldt's Draft Renewed Conditional Use Permit. In 1980, the landfill was approved by the WI Public Service. Alliant believes that the town cannot impose the conditions of the draft CONDITIONAL USE PERMIT per WI Stats. 289 and 196 due to the recognition of the need for the facility. Grieveldinger asked the town to be mindful that the WI DNR monitors the WI DNR's testing and can request additional actions. Motion by Sommer to extend CONDITIONAL USE PERMIT to July 18, 2011; second by Senkbeil; discussion; motion carried with no nay votes and no abstention. Motion by Senkbeil; second by Bergin to instead approve Two-Year extension of Alliant/WP & L CONDITIONAL USE PERMIT beginning June 15,

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- 2011, beginning with draft presented by Paul Rosenfeldt at tonight's meeting, including agreed upon changes made tonight regarding reimbursement of costs of attorney fees to date and future associated attorney and administrative items and also to include reimbursement of costs in the form of a road bond to be accessible when the town deems road repairs to be necessary; motion carried with no nay votes and no abstentions.
3. Lisa Steffen, 4610 Evergreen Drive regarding right-of-way drainage – Not present, no action taken.
 4. Jim Pulbratek, 201 Wahgouly Road regarding damage to mail box and split rail fence from snowplowing– Gregg Wagner provided previous town newsletter article stating “The Town is not held responsible for damage to private property that is located within the public right-of-way. (The right-of-way is often 66 feet wide and is often confused by property owners as their own property.” Pulbratek is suggested that the town and Wagner’s split the cost of replacement. Wagner shared that the Federal government’s has strict parameters for installing a mailbox and they are required to be in the right-of-way. Motion by Sommer to deny payment for Mr. Pulbratek’s mailbox; second by Senkbeil; motion carried with no votes and no abstentions.
 5. Uniform Rural Numbering System – Timing for Town of Wilson Size, Color, top heading, how will these be paid for – levy? \$49,000 will be the total cost. Discussed location of signs. Rick Meyer will check with other municipalities to see what problems or suggestions they may have to offer from their municipalities. No board action taken.
 6. Proposals for road work:
 - a) Proposal from Sheboygan County Highway Department for crack filling – Rick Meyer provided the board with a map with the proposed road to be crack filled. Chair Gartman shared that the Republican Joint Finance Department is working on legislation to prohibit municipalities from contracting with one another for road work. Motion by Hoffmann to approve May 31, 2011 proposal from Sheboygan County Highway Department in the amount of \$10,527.50 to provide crack filling for the roads as per the attached proposal document; second by Senkbeil; motion carried with no nay votes and no abstentions.
 - b) Proposal from Sheboygan County Highway Department for asphalt patching – Motion by Sommer to approve asphalt patching as proposed for Juniper Drive, Wilson-Lima Rod, Motel Road and Timberlake Road with remaining to be done under advisement of the board; second by Senkbeil; motion carried with no nay votes and no abstentions.
 7. I.D. tag for maintenance site:
 - a) Charge to residents for replacement of lost tag – Motion by Sommer to charge \$10 for lost tags, second by Bergin; motion carried with no nay votes and no abstentions. Motion by Gartman that lost tags be re-issued with a new number that the number of the lost tag be recorded and marked inactive; second by Senkbeil; discussion with Gartman amending motion to include that town employees have the right to confiscate original lost tag; amendment seconded by Senkbeil; motion carried with no nay votes and no abstentions.
 - b) Policy for entrance (without tag) – No admission without tag. (Follow-up topic for next newsletter.)
 8. Disclaimer on Town website (regarding containment of unofficial versus official records) - Change watermark on minutes and ordinances on website to read “UNOFFICIAL” versus “APPROVED.”
 9. Proposed amendments to Chapter 62 – Animals -- Update received by email today from Attorney St. Peter regarding his work with Attorney McLean from the City of Sheboygan. Ongoing matter not yet complete.
 10. Town of Wilson participation / subscription / dues / contribution:
 - a) Wisconsin Urban Town’s Association – Motion by Gartman to discontinue Urban Town’s Association membership; second by Bergin; motion carried with no nay votes and no abstentions.
 - b) Sheboygan County Economic Development - \$300 scheduled for payment this year. (two-year commitment made in 2010 by board motion.)
 11. Compensation for Larry Hilbelink for consulting services – Motion to repeal May 2, 2011 town board motion to pay Larry Hilbelink \$10.00 per hour for consulting wages; second by Gartman; motion carried with no nay votes and no abstentions
 12. Motorized Transport Report (MTR) provided by David Gartman.
 13. Determine date for the first regular Town Board meeting in July, 2011 (the first Monday is the 4th of July) – Motion by Sommer to move first meeting of July 2011 to July 6, 2011; second by Bergin; motion carried with no nay votes and no abstentions.
 14. Fire Study Committee – Schedule follow-up meeting – Joint Fire Study Commission/Sub-Committee Meeting to be held

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June 29, 2011 at 6:30 p.m. Review summary and conclusions of Fire Study Report and Fire Sub-Committee Report. Gartman will coordinate.

15. Approval of draft minutes – Motion by Senkbeil to approve May 16, 2011 draft minutes with amendments; second by Sommer; motion carried with no nay votes and no abstentions

16. Reports:

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| a) Treasurer – Written reports provided. | b) Clerk – Provided verbal report. |
| c) Constable – Constable Van Ess provided a verbal report to the board. | d) Plan Commission – No report. |
| e) Park & Forestry Commissioner – None | f) Wage, Salary & Benefits Commission – None |
| g) Long Range Planning Ad Hoc Committee – No report. | h) Black River Fire Department – No report |
| i) First Responders – No report. | j) Maintenance: (Snowplowing/Roads/Maint. Site/Bldgs. – Meyer provided the board with updates. |
| k) Town Board | |

17. Disbursements:

- a) Checks on hold – De Troye Electric check is still on hold. Work is complete. Motion by Senkbeil to release check for De Troye Electric; second by Senkbeil; motion carried with no nay votes and no abstentions
- b) Black River Fire Department -- Motion by Hoffmann; second by Bergin to approve Black River Fire Department disbursements pending treasurer's review and approval; motion carried with no nay votes and no abstentions
- c) Town of Wilson First Responders – Motion by Sommer; second by Bergin to approve Town of Wilson First Responder disbursements pending treasurer's review and approval; motion carried with no nay votes and no abstentions
- d) Town of Wilson – Motion by Senkbeil to approve Town of Wilson disbursement pending treasurer's review and approval; second by Sommer motion carried with no nay votes and no abstentions.

OLD BUSINESS:

18. Rammer Pond Utility District – Hearing will be held in July 18, 2011 at 6:00 p.m.. Letters to be send to all parcel-owners in Rammer Pond.
19. Billing procedures and creation and/or revision to ordinance for billing for fire calls and costs associated with mutual aid
20. Chair update report on S.S.A. T.A.C. committee meeting conducted by Bay-Lakes Planning – Update provided by Chair Gartman.

NOTICES:

- June 8, 2011, 6:30 p.m. – Public Works Sub-Committee at Town Office / Town Hall / Road Tour
- June 8, 2011, 6:30 p.m. – Wage, Salary & Benefits Commission at Town Office
- June 13, 2011, 7:00 p.m. - Plan Commission Meeting at Town Office
- June 15, 2011, 5:30 p.m. – Board of Appeals Hearings at Town Hall
- June 16, 2011, 5:30 p.m. – Town of Wilson First Responder Meeting at Town Office
- June 15, 2011, 6:30 p.m. – Park & Forestry Commission Meeting at Town Office
- June 20, 2011, 5:30 p.m./6:00 p.m. - Sanitary District No. 2 Commissioner Meeting/Town Board Meeting at Town Office
- June 27, 2011, 6:30 p.m. – Long Range Planning Ad Hoc Team Meeting at Town Office

ADJOURN

Motion to adjourn by Senkbeil; second by Sommer; motion carried and meeting adjourned at 11:02 p.m.

Minutes submitted by: Cheryl Rostollan, Town Clerk