

TOWN OF WILSON
SHEBOYGAN COUNTY, WISCONSIN
APPROVED MINUTES OF AUGUST 2, 2010 TOWN BOARD MEETING

CALL TO ORDER & DECLARATION OF OPEN MEETING: The July 6, 2010 Town of Wilson Board Meeting was called to order by Chair Gartman at 6:00 p.m., the clerk confirmed that the meeting notices were posted in compliance with Wisconsin Open Meeting Law and the meeting was declared an open meeting.

PLEDGE OF ALLEGIANCE was recited.

PRESENT: Chair David Gartman, Supervisor Dale Sommer, Supervisor David Senkbeil, Treasurer Laurie Pankratz, Clerk Cheryl Rostollan and Town Attorney John St. Peter. **Also present:** Jim Kummer, Ted Shonts, Michael Greiueidinger, Dennis Schnur, Jim & Cathy Schnur, Steve Boll, Michael & Miriam Schnur, Maureen & Randy Faller, Attorney Ed Ritger, Joyce Worth, Pat Hartley, Rick Meyer, Kory Wendlandt, Dan Rostollan.

APPROVAL OF DRAFT MINUTES:

1. July 26, 2010 – Motion by Sommer to approve to approve draft minutes of July 26, 2010 with correction; second by Senkbeil; motion carried with no nay votes and no abstentions.

PUBLIC COMMENT: *With time being kept to 3 minutes each and 30 minutes total- None*

APPOINTMENTS / NEW BUSINESS:

2. Deer Park Subdivision Development Agreement – Attorney John St. Peter officially notified the Town of Wilson Board that everything is in order with the Development Agreement. Motion by Gartman to approve Town of Wilson Development Agreement with Kohler Company for the Deer Park Subdivision draft as presented with documentation from town's attorney, John St. Peter; second by Sommer; motion carried with no nay votes and no abstentions. Steve Boll will provide four copies of signed agreement to town office for signatures of chairperson and clerk. With an accepted and signed Development Agreement the rezoning and Preliminary Plat approval has now be completed per the motion in the April 28, 2010 Town Board Meeting Minutes.
3. Lake Aire Subdivision(s) Drainage – No action taken.
4. Randy Faller - Conditional Use Permit for Residential wind turbine at 8716 Pine Woods Lane, Oostburg – Attorney Ed Ritger appeared with Randy Faller and reviewed the new rulings with regards to wind turbines and requested the town board's approval of the Conditional Use Permit application. Attorney St. Peter confirmed that Mr. Ritger's analysis of the new law and the proposed regulations was substantially correct. The most significant fact is that the state legislature has taken away most of the jurisdiction of local municipalities. We are currently regulated under the law that was put into place approx ten years ago. Motion by Sommer; second by Senkbeil to approve Conditional Use Permit application for Residential wind turbine at 8716 Pine Woods Lane, Oostburg by subject to all conditions listed in May 10, 2010 Plan Commission Minutes and with the noise level not to exceed 60 dBA at the Kuhn/Martell property line unless the Public Service Commission reduces the maximum noise levels in its regulations and the tower shall be surrounded by an 8 foot high fence conforming with Town of Wilson Zoning Ordinance set-backs and the tower shall be equipped with a 10 foot high ladder; motion carried with no nay votes and no abstentions.
5. Cathy Schnur, 5537 Heatherfield Court, Sheboygan, regarding land-use issue on her property on Evergreen Drive. On May 7, 1994 Schnur purchased property on Evergreen Drive in the Town of Wilson. In the process of purchasing the property in 1994 Schnur checked the tax bill, which read Residential, therefore she proceeded to purchase the property. The property was, and still is, zoned Conservancy. Schnur explained situations that occurred between 1994 which included attempts to rezone the property, solicitation from the town to purchase the property, her attempt to pay for sewer service upon receipt of an invoice, legal actions taken against her for attempting to use her land for uses other than Conservancy. Attorney queried if Ms. Schnur was arguing that the requested A-2 zoning should be grandfathered and Schnur responded that this is not an issue of her argument/issue with the zoning and use of her property. St. Peter asked Schnur if the town/current board is preventing her from doing anything on her land and she responded, no. Schnur was instructed to file an application for rezoning to go to the Plan Commission and then the Board if is seeking to have her land rezoned.

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6. Miriam Schnur & Michael Schnur regarding Conditional Use Permit (CUP) for Ash Disposal Site at 5400 Frontage Road, Sheboygan – Questions from the Schnur’s which were answered included:
 - a. Michael Schnur asked why a ½ mile “buffer zone” surrounding the Ash Disposal Site was established -- It may have been because the site was unsightly or it may have been for environmental reasons.
 - b. Was there a duty to WI P & L to disclose the ½ mile buffer zone to new owners? No.
 - c. In the town meeting minutes from the early 1980’s, the residents were concerned about contamination, would WI P & L be held liable to purchase the properties? - There could be a significant liability to WI P & L. Could anything be amended to the CUP to address contamination, if this occurred? - A provision to protect the water supply is being researched for the CUP. Michael Schnur provided a copy of all elements of well water that should be tested. Miriam Schnur asked if there are plans for providing water in the town – No plans are being made for the town to supply water.
7. Proposals for expert 3rd-party to assist in report monitoring associated with Conditional Use Permit for Ash .
 - a. Response/recommendations from WI DNR – email received.
 - b. Award contract for 3rd-party expert to assist with monitoring results for Ash Disposal Site, steps:
 - i. Michael & Miriam Schnur will provide copy of EPA report from Cathy Clayton to Town of Wilson;
 - ii. Starting 2012 Alliant can obtained approval from the WI DNR to dispose of glue gas, desulfurization scrubber sludge in the landfill (FYI – keep this in mind);
 - iii. Obtain EPA report; hire consultant;
 - iv. Question arose as to whether the EPA would have any involvement if it wasn't for the Schnur's.
8. Conditional Use Permit Renewal for Alliant Ash Disposal Landfill, 5400 Frontage Road, Sheboygan – Motion by Gartman to extend Alliant CUP for 120 days from August 12, 2010, second by Senkbeil; motion carried with no nay votes and no abstentions.
9. Glacier Transit & Storage request for sanitary sewer at 4720, 4730 and 4910 Frontage Road, Sheboygan – No action taken.
10. Dissolution of Holding Tank Agreements – Treasurer will report back to the town board with her results, 120 days after recording of unclaimed bonds, create a letter to the effect that the monies will be forwarded to the government if not claimed.
11. Renewal of General Engineering Agreement between Town of Wilson and AECOM, 4135 Technology Parkway, Sheboygan – Defer to next meeting.
12. Signage for Balzer Woods to including hunting and Conservancy Zoning – Motion by Senkbeil to award proposal to Sheboygan County for \$75 per sign stating “Bow Hunting with Bow & Arrow by Town of Wilson Permit only, all other firearms and shooting devices prohibited”; second by Senkbeil; motion carried with no nay votes and no abstentions. Motion by Gartman to issue cards as presented by Senkbeil and amended by town board; second by Sommer; motion carried with no nay votes and no abstentions.
13. Complaint regarding fence at Handlebar & Grill, 5837 South Business Drive – Discussed updates, no action taken.
14. Roads/building maintenance:
 - a. Town Hall – foundation/drainage and basement repair – Meyer reported updates from various vendors, will continue to obtain additional proposals as discussed.
 - b. Town Hall – Handicap accessible adjustment(s) to building (Lift/elevator) – Discussion, no action.
 - c. Maple Lane, Pheasant Lane and S. 16th Street Betterment – Put Chuck Nahn on agenda as appointment for next meeting to prepare for a neighborhood meeting this fall. The city needs a plan to take to budget as does the town.
 - d. Sheboygan County estimates for potential 2010 road work – Meyer provided estimates from Sheboygan County.
15. Disbursements:
 - a. Checks on hold - None
 - b. Black River Fire Department – Motion by Senkbeil to pay disbursements in the amount of \$3,037.60 for the Black River Fire Department; second by Sommer; motion carried with no nay votes and no abstentions.
 - c. Town of Wilson First Responders –Motion by Senkbeil to pay Town of Wilson First Responder disbursements; second by Sommer; motion carried with no nay votes and no abstentions.
 - d. Town of Wilson – Motion by Gartman to pay \$31,756.79 Town of Wilson disbursement; second by Senbeil; motion carried with no nay votes and no abstentions.

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REPORTS:

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| <p>16. Treasurer – Laurie Pankratz provided financial reports and explanations. At Constable Van Ess's request Laurie provided input from Sheboygan County regarding licensing cats. (No other municipality in the county beside the City of Sheboygan currently licenses cats.)</p> <p>18. Constable –No report</p> <p>20. Park & Forestry Commissioner – No report.</p> <p>22. Long Range Planning Ad Hoc Committee – No report.</p> <p>24. First Responders – No report.</p> | <p>17. Clerk – Cheryl Rostollan provided financial report.</p> <p>19. Plan Commission – No report.</p> <p>21. Wage, Salary & Benefits Commission – No report.</p> <p>23. Black River Fire Department – Kory Wendlandt reported on recent large fire and procedure for invoices.</p> <p>25. Maintenance: (Snowplowing/Roads/Maint. Site/Bldgs) – Report provided by Rick Meyer.</p> |
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NOTICES:

- Thursday, August 5, 2010, 5:3 p.m. – First Responder Meeting
- Monday, August 9, 2010, 7:00 p.m. – Plan Commission Meeting
- Monday, August 16, 2010, 5:30 p.m./6:00 p.m. – Sanitary District No.2 Meeting/Town Board Meeting

AGENDA ITEMS FOR SUBSEQUENT MEETINGS:

- Town of Wilson contract with Village of Oostburg for fire protection

ADJOURN:

Motion to adjourn by Gartman: second by Senkbeil: motion carried and meeting adjourned at 9:17 p.m.

Minutes submitted by: Cheryl Rostollan, Clerk