

TOWN OF LYNDON

TOWN BOARD MEETING MINUTES

On Site at 6:15 pm at W6661 Sumac Road, Plymouth followed by on site on Elderberry Road

Wednesday May 12, 2010 7:00 pm

Town of Lyndon Hall W6081 County Road N, Plymouth, WI 53073

1. Meeting called to order –Pledge of Allegiance to the flag
2. Confirmation of posting- Marver, confirmed the posting was done on May 10, 2010 between 3:30-4:00 pm.
3. Roll call – Scott Henkel, Steve Thome, Kris Hughes, and Richard Baumann. Lester Laack arrived at 7:15 pm.
4. Approve previous month's minutes - Minutes were accepted as presented.
5. Approve the treasurer's report - Treasurer's report was accepted as presented.
6. **Committee reports**
 - a. Jerome Rosche – Rosche gave his report on the inspection on the Dan Mayer property and he found nothing out of the ordinary. He also reported there will be a workshop on May 20, 2010 for comprehensive plans and amendments and implementing.
 - b. Al Steiner – DPW Update - Report on Highway Workshop (Seminar). Steiner discussed the project for Silver Creek-Cascade Road. The center line has been marked. He also reported on the workshop he attended and he found it very enlightening. He learned more things that should be kept as a record. We can charge up to 3 times as much for road repair that has been damaged by anyone. He caught up with the crack filling and we should save up to \$3,500 on crack filling this year. Silver-Creek Cascade Road is starting to get laid out. He is meeting with telephone and electric companies. He explained he learned about fog sealing which is maintenance of roads. He also learned that we can do snow plowing for individuals but must be sure that we charge all people the same.
 - c. Kris Hughes - Town Hall Committee – Kris explained we had hosted the Lake Ellen Association meeting last evening, there was about 30 people in attendance. Richard supplied the food and Kris supplied the beverages. Ray Zimmermann gave a presentation on the workings of the Sanitary District #1.
 - d. Robert Joslyn – Ordinance Oversight Committee – Joslyn was not present, no report. Next meeting will be May 19, 2010.
 - e. Richard Baumann – Research – Nothing to report at this time.
 - f. Scott Henkel – Finance – Henkel questioned Marver as to why the payment of the backhoe was taken out of the capital expense account and not the DPW operating fund as was agreed upon at last month's meeting. Marver explained it had been taking out of the operating fund but would show up on the reports as a capital improvement as for financial reports all equipment purchases are items of capital expense. There is a difference between accounting items and checkbooks. At this time Henkel made a motion to put \$5,000 into the equipment replacement fund and also an additional \$5,000 to an emergency contingency fund because we are \$30,000 ahead of our DPW expenses of last year at this time. Marver suggested sitting down with Henkel and go over financial reports before agreeing to such a motion, and suggested we wait until the end of the year as comparing where we are now as to where we were last year would depend largely on what bills were paid and what we still plan to pay. Steiner suggested if this is about the DPW, he would like himself and also the Supervisor in charge of roads, Lester Laack, to be included in the meeting. It was acknowledged we would place this on the agenda for next month as it was not on the agenda and we could not take action on it at this time.
 - g. Steve Thome – Cemetery – geo catching device is on its last leg. Must be taken care of before winter.
 - h. Correspondence – Clerk Report – Marver reported there had been no correspondence other than the emails she had forwarded from the Urban Town's Association, our financial report was finished on Saturday by our accountant and rushed over to the post office and mailed out and the government has already received it.

7. **Items from the floor for the good of Town Government.** Pat Roby reported on Cedar Lane and the dumping that is going . Hughes said she spoken with someone from Lake Ellen who had walked her dog on the lane and she was afraid because of the truck that was parked on the road. This will be monitored more carefully and the debris will be picked up. The residents in the area are encouraged to drive the lane and report any suspicious activity.

*at this time Hughes asked to amend the agenda to take 9 (New Business) item 'a' and 'b' next.

8. Old Business

- a. Act/Discuss Uniform Rural Addressing System Project – Hughes reported on the progress of the sign project. Henkel made a motion, 2nd by Thome to send letters and invoices to the owners of properties that needed the rural address signs. All in favor, motion carried.
- b. Discuss/Act on Small Wind Energy Systems applications- This item was tabled indefinitely.
- c. Discuss/Act on creation of fee for Driveway Permits – Industrial-This item was postponed until a later meeting.
- d. Discuss/Act on Plat Addition to Cemetery, Thome reported they were going to put extra plats in the cemetery and would have to go to the county to plat it out and because we haven't had a call for plats they have not been in a rush to finish this work. We still have plats available so we can lay this on the table for a future date.
- e. Discuss/Act on Conditional Use required for building of new homes on Agricultural land. We had the public hearing last month. With the A-2 especially we have had trouble with the people saying 'yes, they will be involved in agriculture'. The conditional use would insure they follow the conditional use and give us more 'teeth' in the Ordinance. Paul Dirkse stated, it would limit the residential use in the ag land. He would also suggested more clarification of the conditional uses. Marver explained that this would not be the 'final' wording, that this depend upon Keith Foye of the DTACP approval. Thome asked what would we do if they didn't follow the conditional use. Laack stated we could charge fines for not following conditional uses. The Board felt they would do more research on this before acting on it. Paul Dirkse suggested we put more information so the public understands. He suggested we codify the ordinances and he would be helping to work on this project. Hughes, 2nd by Laack. All in favor, motion carried.

9. New Business

- a. Discuss/Act Elizabeth Rich Certified Survey Map + Discuss/Act on Cul-de-sac and whether or not road is up to specifications. Rich explained what she wanted to do with the land. Paul Dirkse was present to examine the details of this survey. He suggested we conditionally approve the Survey Map, with the conditions that the land dedication and removal of the easement by prescription . Laack moved, 2nd by Baumann, to approve the survey with the following 3 points that were presented by the attorney, #1- the land dedication with the understanding that the approval of this Certified Survey does not include permission to build on this lot. It is approved 'as is' and is in accordance with the ordinances of the town as it is being used now. Should there be any improvement on lot 2 it would have to come to the Board of Supervisors for approval and if it requires any improvement to the road, the owner of lot 2 would be responsible for the road improvement costs. #2, the town would remove any easement rights, and #3, the lenders mortgage certificate be included in the survey. Baumann-aye, Hughes-aye, Laack- aye, Thome-aye, Henkel-nay.
- b. Discuss/Act on Insurance Bids, Hughes moved, 2nd by Henkel, to continue with the Horton Group for our insurance coverage. All in favor, motion carried.
- c. Discuss/Act on purchase of new buoys for Lake Ellen- for 2 buoys at \$96.00 each plus shipping (\$20.00) each. This total \$116 each. Henkel moved, 2nd by Baumann to have Thome order the buoys as described. All in favor, motion carried.
- d. Discuss/Act on amending sludge permit- Hughes moved, 2nd by Thome, to amend the sludge permit to add the wording 'on the property owned by one owner, or one entity'. Hughes moved, 2nd by Thome, to amend sludge ordinance to include the this wording. All in favor, motion carried.
- e. Discuss/Act on Ordinance enacting appointments of alternate members to Plan Commission - The board agreed to adding alternate members to the Plan Commission. We only need to amend the Administrative Policy. This will be done at next meeting
- f. Appoint alternate member to Plan Commission.
- g. Discuss/Act on refund of rental deposit for Julian Brachmann, Hughes moved, 2nd by Henkel to return deposit. This was approved along with New Business 'h'.

- h. Discuss/Act on refund of rental deposit for Barb Ingels, Hughes moved, 2nd by Henkel to return deposit. All in favor, motion carried.
- i. Discuss/Act on ditching bucket for Backhoe, used bucket, 2,000 is the cheapest one for used. Can get a new one for \$1975.00 for a 60" bucket. Delivery is approximately 2-3 weeks. Thome, moved, 2nd by Henkel to buy the 60" bucket for \$1975. All in favor, motion carried.
- j. Set Special Meeting to set date for Board of Review, meeting to postpone: the Board of Review meeting was set for June 2, 6:45 pm.

10. Items for the next meeting Setting a moratorium on wind turbine energy systems.

11. Report of Chairperson - none at this time.

12. Approval of the monthly bills- monthly bills were approved.

13. Discuss/Act on sealcoating bids: THERE WAS NO NEED FOR CLOSED SESSION.

- 1. At this time the "Town Board may convene into closed session pursuant to Wis. Stat. 60.47-66.0901 to review and act on sealcoating bids received".
- 2. "The Town Board may reconvene, if necessary, into open session".
- 3. Two bids were opened by mistake, as they were not labeled on the envelope as 'seal bids'. Winooski Road, Sheboygan County's bid was: \$15,211. They did not want to give a bid for Harbor Lights Road. They are going to be doing County Road U, and as the transaction of them doing Cedar Lane is a municipality to municipality there was no need for them to bid. When they are doing County Road U they will continue on to Cedar Lane for \$4, 475. No one else bid on Cedar Lane.
- 4. From Farner: Winooski was \$18,362: Harbor Lights, \$11,448.
- 5. Scott, Construction: Winooski Road \$13,991: Harbor Lights \$8,820. Laack moved, 2nd by Henkel to have Scott Construction for Harbor Lights and Winooski Roads and have Sheboygan County for Cedar Lane. All in favor, motion carried.

14. Adjourn - meeting adjourned at 10:00 pm.

Respectfully submitted,
Sally Marver, Clerk/Treasurer