

Town Board Meeting Minutes
Monday, April 20, 2015 at the Rockland Town Hall
Called to order by Chairman Cashman at 7:30 p.m.
Adjourned at 9:11 p.m.

The Clerk, Treasurer, and all members of the Board were present along with Steve Gander, John and Kathy Schumacher, Tim Ambrosius, Steve Zeitler, and Tom Soderlund. Clerk Charette verified that the meeting was properly noticed; the agenda was presented after the pledge of allegiance was recited.

Minutes from April 6, 2015, Public Hearing on Agricultural Business (AB) District Ordinance

M/M by Chairman Cashman to approve the minutes from the April 6, 2015, public hearing as presented; seconded by Supervisor Schwalbach. Motion carried by voice vote.

Minutes from April 6, 2015, Public Hearing on 3M Back, LLC rezone request

M/M by Chairman Cashman to approve the minutes from the April 6, 2015, public hearing on 3M Back, LLC, rezone request as presented; seconded by Supervisor Schwalbach. Motion carried by voice vote.

Minutes from April 6, 2015, Town Board meeting

M/M by Chairman Cashman to approve the minutes from April 6, 2015, Town Board meeting as presented; seconded by Supervisor Schwalbach. Motion carried by voice vote.

Request from Kathy & John Schumacher, Gary & Holly Lewis, Dan & Julie Ariens, David Marx, Susan Marx Moriarey, Tammy Marx Eckart, Tom and Connie Soderlund for approval of a revised Certified Survey Map, part of Parcel R-139-1, Parcel R-139, R-139-2, Parcel R-140 and Parcel R-142, 3800 Block Cashman Drive and 3725 Block CTH PP, De Pere, Wisconsin

Steve Zeitler, agent for the applicants appeared before the Board. Zeitler explained that after coming before this Board with the Certified Survey Map, he met with the Brown County Planning Department to review it. Brown County Planning required that the CSM be revised as follows: 1) the heading including the legal description be changed to note that the action taking place is not a combination of the parcels, 2) the CSM delineate the drainage ways and environmentally sensitive areas; and 3) that a restrictive covenant be included to address the need for a shore land permit.

Discussion was had by the Board. Supervisor Schwalbach asked if there was a date for this revised CSM. Clerk Charette noted that this revised CSM was received by Steve Zeitler via e-mail on April 14, 2015.

M/M by Supervisor Van Vonderen to approve the revised CSM, dated April 14, 2015, for David Marx, Susan Marx Moriarey, and Tammy Marx Eckart, John Schumacher, Kathleen Schumacher, Gary Lewis, Holly Lewis, Daniel Ariens, Julie Ariens, Tom and Connie Soderlund, which includes the revisions recommended by Brown County Planning, with the following conditions: 1) that all parties sign the revised CSM prior to the Town doing so; 2) that all parties sign the Developer's Agreement; 3) that the revised CSM be recorded prior to the David Marx CSM being recorded; 4) that the revised CSM meet all local, county, state and federal regulations; and 5) that the Town receive copies of the legal documents denoting any easements granted between the parties; seconded by Glen Schwalbach. Motion carried by voice vote.

Developer's Agreement with David E. Marx, Susan Marx Moriarey, Tammy Marx Eckart, John and Kathy Schumacher, Gary and Holly Lewis, Dan and Julie Ariens, and Tom and Connie Soderlund

Chairman Cashman asked if the landowners had reviewed the Developer's Agreement sent out by Clerk Charette. John Schumacher stated that the Lewis' and Ariens are not comfortable signing the agreement because they would like to see the costs for the cul-de-sac before doing so. Tom Soderlund stated that he read the agreement. Cashman explained to Mr. Soderlund that he and his wife are on the agreement due to the fact that they are dedicating the land.

Cashman stated that the Town has the option to hire its own engineer and move forward with the Town's portion of the project on Cashman Drive. The landowners could hire their own engineer and get quotes for the cost of the cul-de-sac. Cashman explained that the landowners would still need to sign a developer's agreement if they chose to go that direction.

Steve Zeitler recommended that the Town's engineer provide a written proposal as to what the costs of the bulb, drainage, and Cashman Drive will be. Zeitler also recommended that these estimates be attached to the Developer's Agreement. Tim Ambrosius stated that he could provide estimates on each portion of the project that would include engineering and construction costs.

After some discussion, the Board decided that the date in paragraph 8 of the agreement should be May 18, 2015.

M/M by Supervisor Van Vonderen to adopt the Developer's Agreement with the date in paragraph 8 to be listed as May 18, 2015, and that the Town's Engineer provide estimates for the project disclosing the costs for the Cashman Drive portion and the cul-de-sac portion and that these estimates be attached to the Developer's Agreement; seconded by Chairman Cashman. Motion carried by voice vote.

Hiring of Engineer for Cashman Drive

Discussion was had on hiring CQM, Inc., as the Town Engineer for the Cashman Drive project. Supervisor Schwalbach stated that doing so would be based on Qualifications Based Selection. The Town is familiar with CQM's qualifications and rates due to its current working relationship on another project.

Motion by Supervisor Schwalbach to hire CQM, Inc. as the Town's engineer to create the engineering and construction estimates for Cashman Drive and the cul-de-sac; seconded by Supervisor Van Vonderen. Motion carried by voice vote.

Re-appointment of Karen Sroda to serve as Deputy Treasurer for a term of two years commencing April 21, 2015

M/M by Chairman Cashman to re-appoint Karen Sroda as Deputy Treasurer for a term of two years commencing April 21, 2015, at the hourly rate set before; seconded by Supervisor Schwalbach. Motion carried by voice vote.

Re-appointment of Colleen Magley to serve as Deputy Clerk for a term of three years commencing April 21, 2015

M/M by Chairman Cashman to re-appoint Colleen Magley for a term of three years commencing April 21, 2015, at the hourly rate set before; seconded by Supervisor Schwalbach. Motion carried by voice vote.

Ordinance #2015-4 creating and enacting Sec. 02-03.01, Rockland Code of Ordinances, an ORDINANCE TO ESTABLISH PROCEDURES AND CRITERIA FOR ALLOWING ALTERNATIVE FORMS OF SWORN TESTIMONY AT BOARD OF REVIEW HEARINGS

Clerk Charette explained that 2013 Wisconsin Act 228 which took effect on January 1, 2015, allows landowners to request to testify over the phone or submit sworn written testimony at the Board of Review. Prior to this, only ill or disabled people could do so if they provided a letter from their doctor. The proposed ordinance was drafted and recommended by the Wisconsin Town's Association to help provide a process for the Board of Review in determining when someone should be able to do so. Clerk Charette explained that if approved by the Board, this

language would become a part of Chapter 2 of the Code of Ordinances. Clerk Charette took the roll call vote: Chairman Cashman- Aye; Supervisor Van Vonderen- Aye; Supervisor Schwalbach- Aye. Ordinance adopted by 3-0 roll call vote.

Fire address signs/911 signs

Supervisor Schwalbach provided a packet of research he conducted regarding fire address signs. Schwalbach explained that Wisconsin 2013 Act 20 places restrictions on covered services. The Department of Revenue has interpreted “covered services” to include fire address signs. After conducting some research, Schwalbach found that if the Town does not receive the FEMA grant for the fire address signs, it could: 1) install “911” signs and cover the cost of doing so under a special charge to the taxpayer; or 2) ask the electors at the annual meeting if they are in favor of increasing the levy to cover the costs of such signs.

Chairman’s Report

Chairman Cashman reported: 1) the Town Board toured the Town’s roads with Scott Construction on Friday, April 17th and are in better shape than they were last year; 2) a culvert on East Blake Road is in need of repair and may be eligible for bridge fund reimbursement; 3) he is meeting with Wayne Carter to review disposing of the remains that were created when clearing the ditch on Old Martin Road; 4) the pot holes on town roads were filled last week; and 5) he met with Mark Wiese, Scott Wilson, Kory & Kevin Derenne, Guy Arucchio, Mike Liebman from Ayres Associates last week to review the proposed drainage easement south of the Hickory Ridge Subdivision. Cashman instructed Liebman to design the ditches in the subdivision as originally proposed with the option to install a drainage easement from the woods to the west. A meeting will be scheduled for mid-May with all the landowners.

Planning Commission Report/Planning Commission Update

Supervisor Van Vonderen reported that the Planning Commission meeting on Thursday was rescheduled to 7:00 p.m. on Thursday, April 30th. An on-site quarry visit at Northeast Asphalt Quarry is scheduled for 6:00 p.m. on Thursday, May 14, 2015.

Wind Siting Report/Capitol Day Update

Supervisor Schwalbach stated that there was \$250,000 in the budget for Wind Siting studies but the Joint Finance Committee removed it. He also reported that the Public Service Commission will look at all of the studies that were not allowed and how they compare to the PSC rules.

Supervisor Schwalbach handed out a packet of information that he received at the Wisconsin Capitol Day which was hosted by the Wisconsin Towns Association in late April.

Announcements and Distribution of Correspondence-

Clerk Charette distributed and announced: 1) a link to the packet of material from the 2015 local program symposium which was hosted by WDOT; 2) an e-mail dated April 16, 2015, from Representative Jacque; 3) Invitation to Cyber Security program on April 23, 2015, 4) Open Book is scheduled on April 27, 2015 from 2 p.m. to 4 p.m. at the Town Hall.

Treasurer Van Dyck noted that 1) the two outstanding loans were paid off on April 7, 2015; 2) all late personal property taxes have been paid in full; 3) a new home security deposit check for \$1,000 from one of the contractors was returned for insufficient funds; 4) Pet Clinic was held on Saturday, April 11th and had 12 dogs and cats arrive for vaccinations; and 5) the Paper Shredding event is scheduled from 9:00-11:00 a.m. this Saturday.

Items for future meetings- Scott Construction costs for road repairs; Cashman Drive estimates from CQM; Marx public hearing; public hearing for alcohol license renewals; public hearing for quarry permit renewals; Hickory Ridge meeting; Board of Review

Public comment-

Steve Gander thought the Board of Review law was changed to address people who reside out of town.

Cash Flow Analysis

Clerk Charette provided the Board with a copy of the cash flow analysis for the month of April.

Voucher in Payment of Bills

Clerk Charette provided the Board with the voucher for payment of bills.

M/M by Chairman Cashman to pay the voucher for \$5,320.55 for checks #8964 through #8971 with one void check #8968 and one online payment; seconded by Supervisor Schwalbach. Motion carried unanimously by voice vote.

Adjournment

M/M by Chairman Cashman to adjourn the meeting at 9:11 p.m.; seconded by Supervisor Schwalbach. Motion carried by voice vote.

All minutes have been taken truthfully and honestly and to the best of my knowledge and ability.

Jann B. Charette,
Town Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, May 4, 2015.

Dennis J. Cashman
Town Chairman