

**Town Board Meeting Minutes**  
**Monday, July 20, 2015 at the Rockland Town Hall**  
**Called to order by Chairman Cashman at 7:30 p.m.**  
**Adjourned at 9:52 p.m.**

The Clerk, Treasurer, and all Board members were present along with Tara Mager (Wrightstown Spirit), Tim Ambrosius (CQM) and other members of the public. Clerk Charette verified that the meeting was properly noticed; the agenda was presented after the pledge of allegiance was recited.

**Minutes from July 6, 2015, Town Board meeting**

M/M by Supervisor Lasee to approve the minutes from the July 6, 2015, Town Board meeting as presented; seconded by Supervisor Van Vonderen. Motion carried by voice vote.

**Cashman Drive Improvement Bids**

Sealed Bids were received from Express Excavating, Duame Sand and Gravel, Express Excavating and RelyCo Inc. Chairman Cashman opened the sealed bids and read them out loud. The following bids were provided:

	Express Excavating 5431 Church Road New Franken, WI 54229	RC Excavating 2633 Quail Lane Suamico, WI 54173	Duame Sand & Gravel 5870 Duame Road Lena, WI 54139	RelyCo, Inc 1195 Scheuring Road De Pere, WI 54115
Cashman Drive Reconstruction, Culvert & Cul-De- Sac	\$ 98,902.75	\$104,170.70	\$104,982.52	\$108,568.15
Cashman Drive Reconstruction & Culvert		\$ 74,170.70	\$ 70,338.29	\$ 78,568.15
Deduction	\$0.00	\$ 30,000.00	\$34,644.23	\$ 30,000.00

Tim Ambrosius explained that the Board could do the complete project including the cul-de-sac or opt to take the deduction listed in the bid and complete the Cashman Drive reconstruction and culvert work. If the Town chose to go that route, the three landowners would need to find their own vendor to complete the cul-de-sac.

The Board set a meeting to review the bids in more detail with the Town's engineer, Tim Ambrosius, for Wednesday, July 22, 2015 at 5 p.m.

**Bridge Fund Reimbursement Request- Repairs to Old Martin Road and Midway Road bridges**

Chairman Cashman reported that the approaches to the bridges needed repair so Scott Construction completed the repairs on Old Martin Road and Midway Road. A copy of the request to seek reimbursement from Brown County for the work done to repair the Old Martin and Midway Road bridges was provided to each Board member.

M/M by Chairman Cashman to submit the request for reimbursement in the amount of \$4,005.00 to Brown County for the repair work completed on the Old Martin and Midway Road bridges; seconded by Supervisor Lasee. Motion carried unanimously by voice vote.

### **TRIP funding substitution request- Cashman Drive for Tetzlaff Road**

Chairman Cashman explained that in 2013 the Board requested and was awarded TRIP funding in the amount of \$13,537.99 for improvements to Tetzlaff Road. The Tetzlaff Road improvements proposed to add a 6" base, widen the road with 2 foot shoulders and then chipseal and double chip seal the entire road. The Town estimated it would cost \$86,000 to complete these improvements. Copies of a ST2218 substitution request form was provided to the Board members. The DT2218 substitution form requests that the Brown County Highway and Department of Transportation award the \$13,537.99 to the Cashman Drive reconstruction project rather the Tetzlaff Road future project.

M/M by Chairman Cashman to submit DT2218 to Brown County and WI Department of Transportation for substitution of TRIP funds from Tetzlaff Road to Cashman Drive; seconded by Supervisor Van Vonderen.  
Motion carried.

### **Chairman's Report**

Chairman Cashman received calls regarding trees that were down on Sportsman's Road and Van Deurzen Drive due to Saturday's storm. Chairman Cashman cut and removed the tree from Sportsman's Road. The Kaftans cut and removed the tree from Van Deurzen Drive.

Chairman Cashman stated there are several potholes on roads that he will be requesting Carter Trucking to fill this week. Scott Construction completed the overlay on the culvert on School Road.

### **Planning Commission Report Update**

Supervisor Van Vonderen reported that the Planning Commission met on Wednesday, July 15, 2015. She reported that members of the two volunteer fire departments were present to discuss access for driveways in the Town. The Commission will meet on Wednesday, August 12, 2015, at 7:00 p.m. to discuss this issue further and possibly draft an ordinance. A meeting also is scheduled for Wednesday, September 16, 2015, at 7:00 p.m. The Comprehensive Plan open house and public hearing is scheduled for Monday, July 27, 2015, at 6:30 p.m.

Supervisor Lasee asked if there will can be an alternative access on properties if the driveways do not have appropriate clearance. Supervisor Van Vonderen stated no. Van Vonderen stated that education materials will be provided to current residents to give them the opportunity to make changes to their existing driveways. Supervisor Lasee asked that the focus of the ordinance be on residents building new homes in the Town and not existing residents.

Steve Gander commented that he has power lines running through his property. The power lines are 13'6" and the Town should consider this type of property when drafting the ordinance.

Chairman Cashman stated that the ordinance or recommendation will be for driveways 400 feet or longer or whatever the Planning Commission recommends. Fire Departments are finding that when they meet with the landowner, the landowner is making changes to provide easier access and clearance for them.

### **Announcements and Distribution of Correspondence-**

Clerk Charette provided the following: 1) a copy of the De Pere City Council agenda for July 21, 2015; 2) an agenda of WTA District Dinner on July 23, 2015; 3) a copy of the letter being sent to Hickory Ridge residents; and 4) Agenda for Southern Bridge meeting scheduled for September 8, 2015.

**Items for future meetings-** Hickory Ridge Drainage Improvement Bids; Dan Leick conditional use permit renewal; Craft Sale Use of Town Hall;

**Public comment-**

Kevin Derenne, stated that he sent an e-mail to Mike Liebman and Chairman Cashman about improving the ditch to improve drainage along his property. He stated that he has not heard back from anyone. Cashman stated that the proposed drainage plan does not go all the way up to the end of the property line because there would be more of a problem created. Derenne stated, that adjacent to southern portion of his property, he has water ponding with cattails which is trapping the water in the field. He believes that if the V-ditch does not continue to the end of the end of his property line with an 18-inch V-ditch and then tie into the field ditch. Cashman stated that the Board may possibly consider this request after the bids for the project are received.

**Cash Flow Analysis- July**

Clerk Charette provided a cash flow analysis for the month of July to the Board and reported on certain line items in the budget.

**Voucher in Payment of Bills**

Clerk Charette provided the Voucher in Payment of bills to the Board.

M/M by Chairman Cashman to approve checks #9071-9083 for a total of \$100,169.94 with no voided checks and one online payment and to approve the Treasurer to transfer money from the Road Escrow account in the amount of \$5,698.90 to pay for the CQM engineering fees for the Cashman Drive cul-de-sac; seconded by Supervisor Van Vonderen. Motion carried.

**Closed Session**

M/M by Supervisor Lasee to convene into closed session at 8:21 p.m. pursuant to Sec. 19.85(1) (g), Wis. Stats., to confer with legal counsel regarding possible condemnation of Parcels R-458-21 and R-458-14; seconded by Supervisor Van Vonderen. Chairman Cashman-aye; Supervisor Van Vonderen-aye; Supervisor Lasee-aye. Motion carried. The Board went into closed session at 8:21 p.m.

**Return to Open Session to Discuss or Take Action Regarding Possible Condemnation of Parcel R-458-21 and R-458-14.**

M/M by Chairman Cashman to reconvene in Open Session at 9:25 p.m. to discuss or possibly take action on condemnation of Parcels R-458-21 and R-458-14; seconded by Supervisor Van Vonderen. Chairman Cashman-aye; Supervisor Van Vonderen-aye; Supervisor Lasee-aye. Motion carried.

The Town Board, Clerk, and Treasurer were present. Also present were Tara Mager, Wrightstown Spirit, Kevin Derenne and Kory Derenne.

Chairman Cashman stated the Board had a lengthy discussion with the Town's attorney. The Board determined it could condemn the part of the property for the cul-de-sac, acquire it, or obtain an easement. The Town's attorney explained that if taken to court, the municipality is favored in 99% of condemnation cases. Condemnation proceedings will cost both parties money to basically acquire about an eighth of an acre. Chairman Cashman asked if Kory Derenne, owner of Parcel R-458-21, would be interested in allowing the Town to purchase a temporary easement on the property until such time that there is development to the south on parcels R-86 and R-87. Kory Derenne expressed that he was not interested in a temporary easement. He stated that it will have a detrimental effect on his property. Derenne stated that his attorney wrote a letter to the Board a few years back protecting his property against adverse possession. Derenne stated that he does not believe his property should bear the full effect of the cul-de-sac. It should be split amongst the three landowners of parcels R-458-21, R-86 & R-87 and R-458-22. Derenne also expressed that the cul-de-sac should be centered in the bulb.

Chairman Cashman explained that it was his belief that the natural flow of the water went through Kory Derenne's yard and that is why the cul-de-sac was located where it currently is. He expressed that the Town would like to offer purchasing the land for a temporary easement or to acquire the land out right.

Kevin Derenne proposed that the cul-de-sac be reconstructed in a different location so that all the landowners bear the burden of it.

Supervisor Van Vonderen asked if the cul-de-sac was moved who would incur the cost for doing so. She reiterated that there has been a lot of time and money already expended on this project. Van Vonderen stated that Town's engineers have looked at the current flow of the water in the subdivision and the Board is following the advice of its engineers based upon their professional opinion and expertise. The Town is trying to make an offer to make this project work.

Concerns were raised that if the cul-de-sac was removed everyone will be turning around in the Wilson's driveway and Derenne's driveway.

Kory Derenne stated that he would be ok with a T at that location. He proposed that the drainage could be constructed around the oak tree on his property and then go around the tree to the west and tie into the ditch.

Supervisor Lasee stated that people try to work with the Town to make a project work. He does not believe there is any harm to the Derenne property for the existing location of the cul-de-sac since it has been there for many years.

Kevin Derenne asked why the Town wouldn't consider putting a bulb in the existing right of way and not have any ditches. Cashman explained that the bulb's diameter would not be large enough for a snow plow or bus to be able to turn around.

### **Adjournment**

M/M by Chairman Cashman to adjourn the meeting at 9:52 p.m.; seconded by Supervisor Van Vonderen.  
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, Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, August 3, 2015.

Dennis J. Cashman, Chairman