

TOWN OF WEST POINT

Pursuant to Wisconsin State Statute 19.84, the Town Board of the Town of West Point held their regular monthly meeting on Thursday, March 8, 2012 at 7:00 p.m. at the West Point Town Hall. The meeting was published in the Lodi Enterprise, the Sauk Prairie Star, posted in the three designated places in the town and on the town's web site.

The Town Board meeting was called to order by Dean Schwarz-Town Chairman at 7:00 p.m. The town board members present were: Dean Schwarz-Town Chairman, John Miller-1st Supervisor, Gordon Carncross-2nd Supervisor, and Bill Niemi-3rd Supervisor. Also present were Edith K. Eberle-Town Clerk, Attorney Jeff Clark. Absent were: Matt Zeman-4th Supervisor and Lonna Zeman-Town Treasurer.

The Pledge of Allegiance was said.

A motion was made by John Miller to approve the agenda, 2nd by Gordon Carncross - motion carried unanimously.

Citizen Input: None.

Copies of the February 9, 2012 meeting were emailed to each town board member prior to the meeting for their review. A motion was made by Gordon Carncross to approve the February 9, 2012 minutes with two corrections, 2nd by John Miller - motion carried unanimously.

Town Clerk Edith Eberle had prepared the following report: General Fund as of February 28, 2012 - \$434,325.74; Park Fund \$3,273.25 (\$89.78 in separate account in Quick Books and \$3,183.47 is in a six month CD Park Fund at the Bank of Prairie du Sac); Historical Society is \$2,103.19 and Savannah Tree is \$2,103.19 which is a 1 year CD. The Town Clerk balanced the bank accounts for the month of February. The town board asked about putting the Savannah Tree in a 3 year CD.

The bills were reviewed by each town board member prior to the town board meeting. A copy of the bills, deposits, budget for 2012 were given to each town board member for their information. A motion was made by John Miller to pay the bills as presented, 2nd by Bill Neimi - motion carried unanimously.

Correspondence – An email from Linda Bishop (Joe Costanza wife) on a Ceremony of Life on Saturday, April 28th at the Town Hall of Prairie du Sac from 3-5 p.m.; A Municipal Law Newsletter from Boardman & Clark; Letter from Columbia County Humane Society in respond to the budget for 2012; Email from General Engineering on 100th Anniversary with an open house on May 8th, 2012; 2011 Highlights from the Prairie du Sac Public Library; Letter from DNR on the appraisal of the Gregory Reed property; a Letter sent to DNR in reference to purchasing the remaining 20 acres of the Don Horton property; Letters from Columbia County on Harvest Notification of Raw Forest Products for Matt & Lonna Zeman, Charles Zeman, Art & Diane Kazmierczak, James Ballweg, and Stephen & Lousie Benesh; Notice from MATC on 3 vacancies on the District Board; a letter from WI Department of Administration on Crystal-Fish-Mud Lakes Rehabilitation district current status of the project of which there is \$240,000.00 allocated for the district; and a information packet from Fahrner Asphalt Sealers.

Gabe Miller read when the Geese Return from Alpo Leopold writings.

Kevin Kessler Columbia County Board Candidate introduced himself and explained why he is running for Columbia County Board.

A 2 acre Certified Survey Map for Thomas and Nancy Bannan at N1897 State Highway 188 – Tax Parcel #142 was presented to the Town Board for their consideration. The Plan Commission is recommending to the Town Board approval of the 2 acre Certified Survey Map for Thomas and Nancy Bannan with the following 2 conditions:

- Attorney Dale Carlson is asking for wavier and variances in the Town of West Point Ordinance Section 6.04, B Initial Application specifically Subsections (1) Inventory and Mapping of Existing Resources, (2) Development Analysis, (3) Site Analysis and Concept Plan, (4) General Location Map, and (6) Phase I Environmental Site Assessment and (5) Evidence of Ownership and (7) Reimbursement of Engineering

- Exhibit A, Certified Survey Map #911-339, contingent upon the Predevelopment Agreement and Declaration of Covenants, Restrictions and Conditions being executed.

The Plan Commission vote unanimously if favor of the 2 lot Certified Survey Map for Thomas and Nancy Bannan. A motion was made by Gordon Carncross to approve the proposed Certified Survey Map #911-339, contingent upon the Predevelopment Agreement and Declaration of Covenants, Restrictions and Conditions being executed, 2nd by Bill Niemi –

a roll call vote was taken as follows: Dean Schwarz – Yes; John Miller – Yes, Gordon Carncross – Yes, and Bill Niemi – Yes – the motion carried unanimously.

Rezoning of house and 5 acres from Agricultural to Rural Residential for Kathy Ballweg at W12744 State Highway 60 – Tax Parcel 317.01 was present to the Town Board for their consideration. The Plan Commission is recommending to the Town Board approval of the rezoning of house and 5 acres from Agricultural to Rural Residential and conditioned upon all land will be in agricultural overlay with the exception of tax parcel 321.01 for Kathy Ballweg. The Plan Commission vote was 6 in favor and 1 recused from voting. There was discussion on the driveway agreement which is already in place and the Town has no legal authority over the driveway agreement unless the Town wants to take sides. A motion was made by Gordon Carncross approval of wavier of Road Frontage in the Town of West Point Ordinance Section 6.12 Design Standards (D) Block and Lot Design Standards, (5) Lot Frontage, 2nd by Bill Niemi – a roll call vote was taken as follows: Dean Schwarz – yes; John Miller – yes; Gordon Carncross – yes; and Bill Niemi – yes – motion carried unanimously.

5 acre Certified Survey Map for Kathy Ballweg at W12744 State Highway 60 – Tax Parcel #317.01 was presented to the Town Board for their consideration. The Plan Commission is recommending approval of the 5 acre CSM for Kathy Ballweg with the following conditions:

- To wavier Town of West Point Ordinance Section 6.04, B Initial Application specifically Subsections (1) Inventory and Mapping of Existing Resources, (2) Development Analysis, (3) Site Analysis and Concept Plan, (4) General Location Map, and (6) Phase I Environmental Site Assessment, there no new building site
- Map #511-179, contingent upon the Predevelopment Agreement and Declaration of Covenants, Restrictions and Conditions being executed
- To amend the Declaration of Covenants, Restrictions and Conditions on page 2 #1 to Rural Residential District not Agricultural District
- Wavier of Road Frontage in Town of West Point Ordinance Section 6.12 Design Standards (D) Block and Lot Design Standards, (5) Lot Frontage

The Plan Commission vote was 6 in favor and 1 recused from voting. A motion was made by Gordon Carncross to recommend to Columbia County Planning and Zoning approval of the rezoning request from

Agricultural to Rural Residential for Kathy Ballweg contingent upon that the remaining land in the parent parcel farm owned by the Ballweg's be subjected to an agricultural overlay district with the exception of the 30 acres and the Certified Survey Map being recorded, 2nd by John Miller – a roll call vote was taken as follows: Dean Schwarz – yes; John Miller – yes; Gordon Carncross – yes; and Bill Niemi – yes – motion carried unanimously.

A motion was made by Gordon Carncross to approve the proposed Certified Survey Map #511-179, contingent upon the Predevelopment Agreement and Declaration of Covenants, Restrictions and Conditions being executed, 2nd by Bill Niemi – motion carried unanimously.

A 5.14 acre Certified Survey Map for Jon and Carrie Ballweg at W12790 State Highway 60 – tax parcel #321.01 was presented to the Town Board for their consideration. The Plan Commission is recommending to the Town Board approval of the 5.14 acre Certified Survey Map for Jon and Carrie Ballweg contingent upon the Predevelopment Agreement and Declaration of Covenants, Restrictions and Conditions being executed and to petition to have an agricultural overlay on remaining land. The Plan Commission vote was 6 in favor and 1 recused from voting. Attorney Jeff Clark stated under the new zoning ordinance a Farm Consolidation would not be allowed. A motion was made by John Miller, 2nd by Gordon Carncross, that the Town Board to approve the Certified Survey Map 5.14 acres prepared by Grothman & Associates, File No. 881-297, dated February 1, 2012, contingent upon the following:

1. Execution and delivery to the Town of West Point the Pre-development Agreement reviewed and approved as to form by the Town attorney.
2. Execution and delivery to the Town of West Point the Declaration of Covenants, Restrictions, and Conditions reviewed and approved as to form by the Town attorney.
3. Jon and Carrie Ballweg signing any and all necessary documents and otherwise supporting the imposition of agricultural overlay district zoning upon all of the land that they own within the parent parcel farm, other than the approved Certified Survey Map and tax parcel No. 321.01. – Motion carried unanimously.

Ordinance No. 3-8-12 to Extend Town Officer Terms in Office was presented to the Town Board for consideration. This ordinance will extend

the terms of a Town Officer to the third Tuesday in April. A motion was made by John Miller to adopt Ordinance No. 3-8-12 to Extend Town Officer Terms in Office and to post the Ordinance in lieu of publication, 2nd by Bill Niemi – motion carried unanimously.

Consideration having an Ordinance for Silica Sand Mining in the Town of West Point was brought up to the Town Board for their consideration. Attorney Jeff Clark had sent the Town of West Point a copy of the Silica Sand Mining in Wisconsin dated January, 2012 from Wisconsin Department of Natural Resources for their consideration. An explanation of the ordinance was given and that each applicant would be evaluated individually. This will be a non-metallic mining ordinance. A motion was made by Bill Niemi to have Attorney Jeff Clark do a draft ordinance for the Plan Commission and Town Board to consider, 2nd by Dean Schwarz – motion carried unanimously.

A copy of a proposed resolution #03-08-2012 supporting the proposed state purchase of certain land adjacent to the Gibraltar Natural Area was presented to the Town Board for their consideration. The proposed purchase is the remaining 20 acres which is presently owned by Don Horton in Section 13, Town 10N and Range 7E. A motion was made by Bill Niemi to adopt Resolution #03-08-2012 Supporting the Proposed State Purchase of Certain Land adjacent to Gibraltar Natural Area, 2nd by John Miller - motion carried unanimously.

Ditching on Town Property for a waterway was brought up to the Town Board for consideration. Town Chairman Dean Schwarz stated that the Town of West Point had an agreement with Tom Bannan if he put in a grass waterway that the Town would do ditching on Town property for a waterway. A motion was made by John Miller to have the Town of West Point do the ditching on Town property for a waterway, 2nd by Dean Schwarz - motion carried unanimously.

Dean Schwarz, Town Chairman would like to recommend to the Town Board Marcel Kjorlie be appointed to the Town Parks Committee. A motion was made by Dean Schwarz to appoint Marcel Kjorlie to the Town Parks Committee, 2nd by Bill Niemi - motion carried unanimously.

At the February meeting Edith Eberle, Town Clerk and Lonna Zeman, Town Treasurer had presented the Town Board with copies of the 2011 Financial Statement for consideration. A motion was made by John Miller

to approve the 2011 Financial Statement Audit, 2nd by Bill Niemi - motion carried unanimously.

Chuck Bongard, Town Engineer presented the Town Board with a copy of a Bid Proposal for an Engineer to do Building Permits and Inspections. Joe Costanza, owner of MEI who had done our Building Permits and Inspections passed away in January, 2012. The Town Board had discussion if the Town of West Point should put the Building Permits and Inspections out for bid. After discussion a motion was made by Bill Niemi not to publish the Bid proposal for an Engineer to do Building Permits and Inspections, 2nd by John Miller - motion carried unanimously.

A motion was made by Bill Niemi to have MSA submit a contract proposal for building rates and inspections one week prior to the Town Board meeting (April 3, 2012) for the Town Board to review, 2nd by Dean Schwarz - motion carried unanimously.

Chairman Dean Schwarz presented to the Town Board some Fire Numbers on State Highway 60 that are faded and need to be replaced. A motion was made by Gordon Carncross to replace any faded Fire Signs on State Highway 60 that are not readable at the Town's cost, 2nd by John Miller - motion carried unanimously.

Fund Raising for a Town Park Shelter was brought up to the Town Board for discussion. A motion was made by Bill Niemi to postpone fund raising for a Town Park Shelter as the park committee as not met, 2nd by John Miller - motion carried unanimously.

Fish, Crystal and Mud Lake District pumping was on the agenda for an update. Kevin Kessler was present and stated that he had attended a meeting on March 8th with David Padley representing the Lake District, representatives of Friends of Lower Wisconsin River, and the attorney for the Lake District. The following was discussed:

- The Lake District would like to dredge drainage ditches leading to Roxbury Creek, but has not been able to obtain regulatory approval.
- The DNR's proposed effluent standard for total suspended solids (TSS) is 10 milligrams per liter for Roxbury Creek whereas the limit for pumping from Fish Lake to the Lower Wisconsin was 20 milligrams per liter TSS.
- Money from the State is contingent upon the Lake District receiving the necessary regulatory approvals before the monies are released.

The Attorney for the Lake District is trying to get a discharge permit with a one year trial for evaluation.

Appoint members to a committee to study a Utility District was brought up to the Town Board for consideration. A motion was made by Bill Niemi to postpone Utility District, 2nd by John Miller - motion carried unanimously. There are 3 members on the Utility Committee (Dean Schwarz, Herb Paske, and Bill Niemi) who will be gathering information.

Gibraltar Funds was brought up to the Town Board for discussion. Chairman Dean Schwarz stated that the Warden from Devils Lake is keeping the money in Lieu of Taxes to be used for maintenance in a separate account and can be utilize the money for upkeep. A motion was made by Bill Niemi to have the 2 – 20 acres funds in Lieu of Taxes be given to the Town of West Point, 2nd by John Miller - motion carried unanimously.

Town Roads –

- Possible change at intersection of State Highway 60/Golf Road/ State Highway 60 to make shoulder lanes for right turning lanes. Bill Statz from Columbia Count Highway stated that the State will be resurfacing State Highway 60 from the Wisconsin River Bridge to State Highway 188 this year. Bill Statz is going to study the intersection of State Highway 60 and Golf Road. Possibly putting up a road sign stating turning lane only. A motion was made by Bill Niemi to post pone action on State Highway 60/Golf Road intersection, 2nd by Gordon Carncross – motion carried unanimously.
- The Town Board is looking at Single Purpose Roads for possible abandonment was brought up for consideration. At a recent WI Towns Association meeting it was stated that Towns could abandon single purpose roads with only one resident living on the road. The following roads were mentioned: Boehmer, Price, Hannaman, and Griemel. A motion was made by Dean Schwarz to postpone abandoning Single Purpose Roads, 2nd by John Miller – motion carried unanimously.
- Chuck Bongard, Town Engineer has submitted a LRIP application for Schoepp Road.

- Chuck Bongard, Town Engineer has put stakes in on Smith Park Road to identify the public access.

Committee Reports were given:

- Park Committee – Has not met – there will be a meeting at the end of March
- Lodi Fire Commission – Has not met – meeting next week
- Sauk Fire Board – Has not met
- Plan Commission – Gordon Carncross reported on the March 1, 2012 meeting
- Sauk Prairie Ambulance – Met on February 16 and February 23 – they fired current director and hired Kevin Weber as the new director for the Ambulance District
- Transfer Site – No report
- Lodi EMS – No report
- Columbia County – No report
- Outdoor Open Space Committee – not met – next meeting March 26, 2012

The next town board meeting will be on Thursday, April 12, 2012 at 7:00 p.m. On the agenda is: Committee Reports, Fish, Crystal and Mud Lake District/Pumping; Town Roads; Possible change at intersection of State Highway 60/Golf Road to make a shoulder lane for Right Turns; Utility District; Ordinance for Silica Sand Mining; Review Contract for Building Permits and Inspections from MSA; Fund Raising for Park Shelter; Town Loans; and any other business that may legally be brought before the Town Board.

A motion was made by John Miller to adjourn the March 8, 2012 town board meeting at 9:43 p.m., 2nd by Bill Niemi – motion carried unanimously.

Respectfully Submitted By

Edith Kay Eberle,
Town Clerk