

T H E T O W N O F
MERRIMAC

56911 State Highway 113 – P.O. Box 115
Merrimac, WI 53561

MINUTES OF THE TOWN BOARD MEETING
Wednesday, January 5, 2011

Present were Steve Peetz, Chair, Supervisor John Gaedke, Supervisor Terry Frosch, and Tim McCumber, Town Administrator & Clerk – Treasurer.

A **PUBLIC HEARING** to discuss a proposed action to discontinued Vodan Ct. (also known as Horseshoe Ct.) as introduced by resolution in accordance with Wis. Stats. 66.1003(4) was called to order by Town Chair Steve Peetz. No one appeared. Motion to adjourn the public hearing by John Gaedke, second by Peetz. Motion passed.

A **PUBLIC HEARING** to discuss proposed changes to the Town of Merrimac Zoning Ordinance as they related to the issuance of Conditional Use Permits and Manufactured Housing Parks and Subdivisions was called to order by Town Chair Steve Peetz. No one appeared. Motion to adjourn the public hearing by John Gaedke, second by Peetz. Motion passed.

Peetz called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of December 1, 2010. Motion by Frosch to approve, second by Gaedke. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Peetz to approve, second Gaedke. Motion passed. Under **PUBLIC COMMENT**, Laura Olah of CSWAB appeared with a copy of a groundwater exemption request that was filed by the United States Army noting the town was not copied on the information. She is providing a list of requests from CSWAB to request of the Army. She also thinks the town should ask for technical support and that it is not out of line for the town to request the money for this service. Under **CORRESPONDENCE**, the town received a Notice of Feasibility report and preliminary environmental impact decisions from the Wisconsin Dept. of Natural Resources (DNR) regarding the landfill expansion at Badger Army Ammunition Plant (BAAP); the Court of Appeals ruled in favor of the Town of Merrimac upholding the lower court's decision in the case of John E. and John A. Kassner v. the Town of Merrimac Board of Appeals and Timothy McCumber, Town of Merrimac Clerk. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported the town has not heard back from the Army regarding the Landfill Siting Committee report. There was nothing new to report on the proposed water utility other than the site at Goette Rd. tested very well and the Army is targeting that for a back up well. The second site at State Hwy. 113 & 78 did not test well and they are looking at possible sites off of Oak Road or behind Gallus'. Under **UNFINISHED BUSINESS**, the board discussed sending the Town Administrator and possibly members of the town board to the Municipal Engineering Fundamentals for Non-engineers at UW-Madison. McCumber reported the Army will cover this expense as part of the proposed sanitary district. If the town joins the association hosting the event, they can apply for a scholarship and get two members in for the price of one. Motion to join and apply for tuition by Steve, second by Gaedke under the assumption the fees will be reimbursed by the army with the 2nd applicant to be named later. Under **NEW BUSINESS**, the board discussed a recommendation from the Planning & Zoning Commission to approve the proposed amendments to Chapters 2 and 5 of the Town of Merrimac Planning & Zoning Ordinance regarding Manufactured (Mobile) Home Parks and Subdivisions and conditional uses. McCumber provided a report. Motion to approve by Peetz, second by Frosch. Motion passed. The board then discussed a recommendation from the Planning & Zoning Commission to approve a Conditional Use Permit allowing for the continuance of the mobile home park located at Horseshoe Ct., Rick DuBois, owner. McCumber reported the owner was very helpful through the entire process of drafting the CUP conditions. The proposal allows the DuBois to place 30 manufactured (mobile) homes on the site in exchange for taking the road from the town. This will bring the property into zoning compliance and eliminate setback issues on Vodan Court. McCumber reminded the board that an approval would require them to vote in favor of discontinuing Vodan Court. Motion to approve by Peetz, second by Gaedke. Motion

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passed. The board then discussed a resolution to discontinue Vodan Court as a public way per Wis. Stat. 66.10003 as a part of a proposed developers agreement for Park Place MHC, LLC. Motion to approve by Frosch, second by Gaedke. Motion passed. The board was presented a proposal from Miller, Brussell Ebben and Glaeske, LLC. to provide audit services for the years 2010, 2011, and 2012. McCumber said it falls in the line with the 2011 budget and that the town has not had any issues with their service. Motion to approve by Peetz, second by Frosch. Motion passed. The board then discussed providing a copy of the Landfill Siting Committee (LSC) report to DNR regarding the landfill expansion at Badger Army Ammunition Plant (BAAP) Motion by Peetz to send the report to the WI DNR, comment on the points of arbitration. McCumber reported that the Notice of Feasibility report that allows for a period of public comment and allows for individuals and/or the town to request a public hearing. McCumber recommended the board forward the LSC report to the DNR with comments that emphasize the issues the town could arbitrate should the Army not respond favorably. McCumber also recommended that under the procedures for requesting a public hearing that he felt it best come from citizens or members of CSWAB. McCumber pointed to personal time constraints and felt the LSC answered most questions. Gaedke moved to forward the LSC report to the DNR with comments from the Administrator that emphasize the issues the town might arbitrate and to direct the Administrator to request a public hearing. Second by Peetz. Motion passed. The board then discussed a recommendation from the Administrator to select General Engineering to provide engineering services under a scope of work contract with the United States Army as it relates to the proposed water utility. McCumber reported this is a required part of the statute the Army is required to provide. He has spoken with several municipalities and found most in this area work with MSA or General Engineering. The Army has contracted MSA for the project and McCumber spoke with General Engineering customers like the Village of Poynette Administrator and met with the company president. McCumber suggested the board utilize General Engineering and refer them to the Army to discuss the scope of work contract. Motion by Peetz, second by Gaedke. Motion passed.

Motion by Frosch to adjourn. Second by Gaedke. Motion passed.

Town Officers: Steve Peetz, Chair, 493-2669 or cell 608-225-3110; Terry Frosch, Supervisor, 493-2891; John Gaedke, 356-2301; Supervisor; Tim McCumber, Town Administrator and Clerk-Treasurer, 493-2588 (**please, no calls at residence**). Assessor: Steve Mahlik, Equity Appraisal, LLC, 608/826-0009. Email address: townmerr@merr.com. Building permits are required in the Town of Merrimac. Contact Tim McCumber for permits and zoning regulations (tnadmin@merr.com). Town website: <http://www.tn.Merrimac.wi.gov>. Special Garbage Collection requests to Peterson Sanitation: 608/524-6603. If you need to report a non-life threatening emergency, such as a tree blocking the road, call the Sheriff's non-emergency dispatch number 356-4895.