

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, September 7, 2011

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

Chairman Peetz called a **PUBLIC HEARING** to order regarding a proposed amendment to the Comprehensive Plan of the Town of Merrimac as adopted December 1, 2004. The purpose of the public hearing is to accept public comments on the proposed amendment. Richard Grant, Chair of the Zoning Commission spoke in favor of the proposed amendment to the SmartGrowth amendment. No one spoke in opposition or as interest may appear. Motion to adjourn by Gaedke, second by Peetz. Motion passed.

Chairman Peetz then 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 August 3, 2011. Motion by Gaedke to approve, second by Frosch. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Frosch to approve, second by Frosch. Motion passed. Under **PUBLIC COMMENT**, Grant reported that he had found 7 bags of garbage abandoned on Hwy. 78 at County U on the town's side of the county line. He reported the garbage to the sheriff's department who was able to identify the party who illegally dumped the garbage and ask them to be cited for littering, but because he relocated the trash, he could not. Grant is going to file an action against the individual. Grant also reported that the town created a municipal utility district with the consideration of acquiring the Badger water treatment plant in a joint district with Sumpter and a private party looking to build a subdivision. He wanted to share that the Baraboo News Republic recently reported that the Sumpter Sanitary District, which acquired the plant, at its last meeting stated that necessary repairs to the system would be between \$350,000 to \$500,000. They also believe that the technology required to bring the system into compliance is not available yet. Grant added that as it presently operates, it is not in compliance with state and federal statutes. An engineer last week estimates that to actually bring the system into compliance it might actually be nearly \$3-4.5 million to keep it operational. Grant reiterated that Sumpter bought the plant for \$1 and the town would be best advised to remember to stay away from joint agreements based on equalize value. Under **CORRESPONDENCE**, the board received a letter from the US Army declining the town's request for a TAPP grant, a thank you letter from Char Olson on behalf of the Merrimac Women's Club, a copy of a letter to ATC from Sauk Prairie Chamber (SPCC) regarding the proposed transmission line, an invitation to a Legislative Breakfast hosted by the SPCC on September 13th. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber presented a preliminary 2012 budget for discussion at the October board meeting; the town was served papers for a case involving Meigs, Inc. vs. Gary Northcutt et. al lawsuit and the board received a copy of the town's response refusing to waive its rights to money owed from an earlier action the town took against Mr. Northcutt. McCumber reported that South Lake Road will need to be added to the speed limits ordinance and the speed limit cannot be posted below 35 mph by statute. Grant reported the town parks have been kept very clean with minimal garbage to pick up. He said the little amount of trash there has been, he picks up when he is down there. Denny Beich has mowed them twice and the funds comes from the park fund. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board discussed a recommendation from the Planning & Zoning Commission to approve a proposed amendment to the Comprehensive Plan of the Town of Merrimac as adopted December 1, 2004. McCumber reported this action was taken based on his recommendation to change this area due to the relocation of State Highway 78. It was noted there was an error in the dates in the resolution. Motion by Peetz to approve the development plan amendment with the corrected dates, second by Gaedke. Motion passed unanimously. The board then considered action regarding the appointment of Craig Hamilton to the Restoration Advisory Board (RAB) to replace Paul Herr who no longer lives in the town. McCumber reported that it had come to the attention of the town that Mr. Herr lives in Madison and not in the town. McCumber checked with the past chair and he believed that Mr. Herr was a town resident. Town policy has been to appoint residents to boards and commissions and this appointment is not in compliance with

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those procedures. McCumber informed the chair who asked to see if someone would be willing to serve on the RAB that lives in the town. McCumber spoke with Craig Hamilton who lives on Grace Street and he was willing to serve on the RAB. Motion by Peetz to replace Paul Herr with Craig Hamilton and to thank Mr. Herr for his time, second by Frosch. Motion passed. The board then considered Resolution 2011-05 to adopt an employee grievance procedure pursuant to s.66.0509(1m). McCumber reported that Act 10, the bill that made changes to collective bargaining in Wisconsin requires every municipality to adopt an employee grievance procedure by October 1, 2011. The resolution includes a procedure that was adopted from the League of Municipalities recommendation for a procedure that is compliant with the statute. Motion by Peetz to approve the resolution, second by Gaedke. Motion passed unanimously. The board then considered a request for a fireworks permit for Devil's Head Resort on New Year's Day. McCumber reported this event has been going on for several years without any reported incidents. Motion to approve the permit by Peetz. Second by Gaedke. Motion passed. The board then discussed the purchase of a new laptop computer to replace the current laptop which has the hard drive failing. McCumber reported the existing laptop is frequently showing the "blue screen of death", an indication the hard drive is failing. He ran malware and other diagnostic scans to assure that the computer wasn't infected with anything. The proposal for an HP laptop includes Windows 7 and Office 2010. It is \$400-\$500 less than units priced with Dell and Toshiba and has better processors and a very large hard drive. Motion to approve the purchase by Gaedke, second by Peetz. Peetz asked if this can be budgeted for in the future and McCumber reported he had actually put it into the 2012 budget based on the age of the current laptop. Motion passed.

Motion to adjourn by Frosch, second by Gaedke. Motion passed.

Town Officers: Steve Peetz, Chair, 493-2106; Terry Frosch, Supervisor, 493-2891; John Gaedke, 356-2301; Supervisor, 493-2891; Tim McCumber, Town Administrator and Clerk-Treasurer, 493-2588 (**please, no calls at residence except for emergencies**). 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.