

T H E T O W N O F



S6911 State Highway 113 - P.O. Box 115

Merrimac, WI 53561

MINUTES OF THE PUBLIC HEARING

Wednesday, November 6, 2012

Present were Steve Peetz, Chair, Supervisor Terry Frosch, Supervisor John Gaedke, and Tim McCumber, Town Administrator & Clerk – Treasurer. Peetz called a **PUBLIC HEARING** to order regarding the proposed 2013 Town Budget. The proposed budget increases only .34% and the levy is proposed to be \$205,299 which is the same as the past two years. Judy Ashford spoke that when she was Clerk-Treasurer several years ago and the budget as \$450k a year and it still is. Mary Carol Solum spoke that our budget always comes in budget and the roads are in great condition. No other persons appeared. Motion to adjourn the hearing by Peetz, second by Frosch. Motion passed.

SPECIAL TOWN MEETING

Wednesday, November 6, 2012

A Special Town Meeting was held immediately after the Public Hearings to consider the **2012 Tax Levy payable in 2013**. Present were Steve Peetz, Chair, and Tim McCumber, Town Administrator & Clerk – Treasurer. Also in attendance were John Gaedke, Terry Frosch, Mary Carol Solum, Judy Ashford and Frank and Laura Olah. Motion by Solum, second by Gaedke to approve the levy of \$205,299, second by Grant. Motion passed unanimously. Motion to adjourn the special town meeting by Solum, second by Ashford. Motion passed.

MINUTES OF THE TOWN BOARD MEETING

Wednesday, November 6, 2012

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

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 October 5, 2011. 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 by Frosch. Motion passed. Under **PUBLIC COMMENT**, Bill Wenzel, Prairie du Sac and member of the Sauk County Board, representing the Badger Oversight Management Commission (BOMC). Bill introduced several members of the BOMC. Wenzel thanked the board for supporting the Badger Reuse Plan over the years. Wenzel noted that Richard Grant is the town's commissioner to the BOMC and that Grant had not addressed his concerns regarding the BOMC. Wenzel said he understands the concerns Grant have raised are because the intergovernmental agreement was never signed and Grant believes the BOMC should be disbanded and reformed. Wenzel claimed Grant never brought this matter before the Commission. He said he called a special meeting and Mr. Grant did not attend. He said Bureau of Indian Affairs (BIA) and the United States Department of Agriculture (USDA) did sign the agreement along with Sumpter, and but they cannot locate the signed copies. Sauk County did not sign the agreement, nor did Ho-Chunk Nation, the Department of Natural Resources (DNR) or the State of Wisconsin. He said the BOMC has no power and is only a forum for discussion. He said that Sauk County Corp counsel believes the commission can meet because it has been meeting. Wenzel said the Ho-Chunk is still interested in the property. He said the commission members do not vote on anything and then read from the by-laws stating that it calls for a vote of the commission members. He said they understand they cannot make any of the landowners act on any matter that they propose, but believes they work through the issues. Wenzel said he is confused why this is a matter before the town. He added that the Sauk County Executive & Legislative took no action on this matter at its last meeting. John Holst, a member of Ho-Chunk, and a resident of the Town of Sumpter. Holst represents the BOMC as a member of the Ho-Chunk Nation. He said he doesn't know why the tribe did not sign the agreement and that they do support the effort of the BOMC. He is opposed to the town's resolution and he thinks the commission is doing some very good things. Holst said he is concerned that whoever wrote this resolution is speaking for the Ho-Chunk Nation and is speaking out of turn and the Nation does not want anyone to do this in the future. Gaedke asked for clarification regarding the incorrect statement. Holst said the Ho-Chunk Nation is considering filing an appeal with the BIA, but that has not been done as of yet. Gail

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Lamberty, a resident of the Town of Roxbury in Dane County, said she has been attending BOMC meetings for years and that the Badger story is a confusing story. She said that she has minutes of all of the meetings and notes of all of the parties who signed the intergovernmental agreement and she ran her notes by Joe Bradovick of Government Services Agency (GSA) explaining who supported the BOMC and who signed the MOU (It is noted here that the MOU is a Memorandum of Understanding and a different document than the Intergovernmental Agreement being discussed in the resolution) and that Bradovick agrees with her notes. Eugene Robkins, City of Baraboo, appeared and said his interest in the BOMC as a commissioner also represents the City of Baraboo's position on this matter because the City's agrees with him completely. Robkins proceeded to go line item through the resolution regarding points he disagrees with and why they are wrong. Robkins said the commission has "an enormous ability to talk and create embarrassment of any group that disagrees with them". He said Sauk County Resolution No. 165-02 approved the MOU. He said the resolves of the resolution are problematic. He said that the Town Board should defuse all of the controversy around this, but cannot figure out why the board would adopt this without doing so. He said that BOMC is not interim despite also saying the term would have been removed upon the finalization of the BOMC signings. Mary Carol Solum, Town of Merrimac, is speaking as the town's former zoning administrator. Solum said the town pushed for a committee of the stakeholders when the Army announced they were closing the plant. She said the nine values of the reuse plan came from the Town of Merrimac. The town pushed for this committee and it should continue. She said learned from her first meetings that the land is a very emotional issue and we need to listen to the land because it is telling us what it should be. Laura Olah, Town of Merrimac, presented a letter from Don Hammes of the Wisconsin Wildlife Federation and lives in Middleton. He is a non-voting stakeholder and is opposed to the resolution. He stated the BOMC is not managing anything and is only advisory. He said the town will weaken the diversity and strength of the BOMC. Olah, a town resident, spoke on behalf of CSWAB. She said the BOMC is an open and inclusionary process that includes a wide array of people and that a new commission will take away from that by removing stakeholders. She stressed the Ho-Chunk Nation is still very interested in this process and the person who drafted this ordinance knows this. Peetz asked how she views the intent of the resolution is to remove persons. She could not state it, but had been told it could be perceived that way. Wenzel said that Mr. Grant informed another party that it is Grant's intent to remove the other stakeholders by using a governmental procedure verses the current informal process. Olah added that she is only involved because of the contamination and that the BOMC serves a forum that allows her to explain the problems to other people. She thinks this is unfair just because one person has an issue with it. Solum added that she doesn't think this is a good idea for the town board to adopt the resolution. Under **CORRESPONDENCE**, the town received two emails received from persons regarding the cleanup efforts at the Badger Army Ammunition Plant. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, the town received a submission from Craig Hamilton, Town's Representative to the Restoration Advisory Board (RAB) regarding the Alternative Feasibility Study of the Final Creek, Settling Ponds, and Disposal Areas. McCumber reported the town had a record 654 voters in yesterday's General Election and the food drive was well received. The tax levies have come in from the two school districts and MATC. If the county approves the proposed budget as is, the total mill rate should be lower in both school districts for the 2nd year in a row. Audrey Martin has called to ask if the town can pick up an old TV and Peetz agreed to follow up on it. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board considered Resolution 2012-06 supporting the development of a new commission to oversee the Badger Reuse Plan and the Sauk Prairie Area Recreational Area. Judy Ashford is the co-commissioner to BOMC and reported that the Sauk County E & L did discuss this matter and the consensus was it was premature for the E&L to consider the matter. It is on the Sauk County Conservation & Land Use agenda tomorrow for discussion. She noted the resolution has no authority and it is only the town's opinion. She thinks the town should have an opinion and that it will send a message. McCumber reported he met with Grant who is out of town. Mr. Grant said that he has asked the chair of the commission several times to work to obtain the signatures and because they have failed to get all of the parties to sign it he worries the commission will have no jurisdiction once all of the property is transferred and that is why he is proposing this resolution. A motion to table was made by Peetz, second by Gaedke. Under discussion, Peetz said he does intend to move this resolution forward as he thinks a couple of things in it can be tweaked. He told the BOMC members that he did not believe anyone of them had actually read the resolution as nothing they stated is even in

the resolution. Gaedke said he thinks this resolution does a good job of stating what the town's position is on this matter. He does not believe the resolution says any of the things everyone here said it does. Gaedke also thanked everyone and thinks the town will have a better resolution as a result of the input. Peetz told Wenzel he wants this matter on the BOMC agenda and they should discuss this in public session. He thinks this resolution is positive and proactive. Motion to table approved. The board then considered adoption of the proposed 2013 town budget. Motion by Peetz to adopt the 2013 town budget, second by Frosch. Motion passed.

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

TAX BILLS ARE NOT READY UNTIL AFTER DECEMBER 1ST.

DOG LICENSING FOR 2013

Dog licensing for 2013 begins December 1st. To license your dog, send in a copy of the rabies certification from your vet showing the dog's name, color, breed, & sex. Spayed/Neutered dogs are \$5; all others are \$10. **You MUST include a self addressed stamped envelope.** The town will not mail back your license without it.