

**Monthly Board Meeting**

- 1) Meeting called to order by Chairperson Oostdik at 8:00pm. Notice was posted at the Town Hall, North End Boat Launch, and Cul-de-sac on Finch Brothers Road and on the town's website: [www.townoflakemills.org](http://www.townoflakemills.org).
- 2) Adoption of Agenda – Motion made by Sup. Schroeder to adopt the agenda as printed, seconded by Sup. Peterson. Motion carried.
- 3) Approval of Minutes - Motion made by Sup. Schroeder to approve the minutes of the July 12, 2016 monthly Board meeting as printed, seconded by Sup. Peterson. Motion carried.
- 4) Treasurer's Report – Motion made by Sup. Schroeder to approve the August Treasurer's Report, seconded by Chair. Oostdik. Motion carried.
- 5) General Fund Vouching- Motion made by Sup. Schroeder to approve August disbursements of \$81,802.33, seconded by Chair. Oostdik. Motion carried.
- 6) Reports
  - a. Police Report – read by Ret. Chief Delaney.
  - b. Joint Rock Lake Committee Report – Chair. Oostdik noted pier ordinance revision is almost ready to bring forward for review, and ice driving ordinance is coming along. There have been some questions about razing along the lake and Chair. is working with the Building Inspector on revisions to that ordinance.
  - c. Plan Commission Report – Sup. Peterson reported. Met and assisted a Stoney Creek Rd land owner who is considering making zoning changes. No action was taken.
  - d. Other committee reports- Cambridge EMS/Fire meeting is in session. August 9 election is complete - thank you to the poll workers.
- 7) Period of Public Comment and Questions - none
- 8) Application Reviews
  - a. Motion made by Sup. Peterson to approve special event request of Tyranena Brewing Company for Tyranena Oktoberfest Bike Ride on September 17, 2016, seconded by Sup. Schroeder. Motion carried.
  - b. Motion made by Sup. Schroeder to approve special event request of Tyranena Brewing Company for Tyranena Beer Run on November 5, 2016, seconded by Sup. Peterson. Motion carried. Sup. Schroeder requested Hwy S be marked "runners ahead" (for example) a mile or more on either side of the section runners will be (crossing from Elm Point Rd to Finch Brothers Rd).
  - c. Appearing: Kason, Inc representatives Jason Forest, Atty. Jay Smith and Kory Anderson, Atty. Mark Sewell (representing the Town) and Mike Payant, Town's Engineer. Changes to the plat originally submitted by Kason are needed following the wetland delineation. Atty. Smith requested the original plat be withdrawn and new plans sent out in the past couple of days be submitted for review. Anderson presented the changes to the preliminary plat (affecting lots at the west end of the development and one lot at the north east corner. Town's Engineer stated he has not had enough time to review the changes, submitted the night before the meeting. Anticipated new timeline is for preliminary and final plat to be reviewed by Town Plan Commission in September. Engineers from both parties will work together toward the best drainage solution. Motion made by Chair. Oostdik to refer the revised preliminary plat to the Plan Commission for review at their September 6 meeting, seconded by Sup. Schroeder. Motion carried.
- 9) Old Business
  - a. Received bids for wedging on and around Elm Point Rd from Scott Construction (\$9000) and Wolf Paving (\$5657). Scott is cold mixture and Wolf is hot mix. Motion made by

Sup. Schroeder to accept the proposal from Wolf Paving for \$5657, seconded by Chair. Oostdik. Motion carried. Culvert work on Newville Rd will be hired out.

- b. Chair. Oostdik continues communication with County employees on details of the abandoned salt shed on Rock Lake Rd. No action taken.
- c. Motion made by Chair. Oostdik to create Resolution 2016-03 for the Town of Lake Mills to deed parcel #018-0713-0623-001 to Steve Saniter at W9681 Raether Rd, seconded by Sup. Schroeder. Motion carried. This will hopefully resolve an open issue with County Zoning that was preventing Mr. Saniter from obtaining a building permit. This parcel was once a Town road, but was abandoned when the road intersection was reconfigured approximately 20 years ago. The County maps incorrectly show this road as existing.

#### 10) New Business

- a. Atty. Mark Sewell presented suggestions for the Developers Agreement, Stormwater Maintenance Agreement and Vacation of Utility Easements for Shorewood Hills North Phase III, stating they can be put into the Preliminary Plat and all could be finalized for the next Town Board meeting. Responsibility for maintenance of the proposed bioretention areas was discussed. Per the Stormwater Management Agreement, the Developer would maintain until the majority of lots are sold. After that the homeowners of Phase III would have an interest as tenants in common in the two outlots because the Town does not want to own them. Those homeowners would be responsible for the maintenance either through a homeowners association or otherwise. In the event that the Phase III homeowners do not keep up with maintaining these outlots, the Town may, in its discretion, do the maintenance and impose a special assessment to those homeowners. In the proposed agreement the homeowners 1) acknowledge that this is a benefit to them and 2) waive notice and hearing so there is no contesting the responsibility. The document could be attached to the real property (each lot) by deed. Phase III lots will be part of the existing homeowners association in the area (Rock Lake Homeowners Association). Atty. Sewell suggests not creating a separate association for just these affected lots, rather charging a higher fee to those owners.

Residents of Bridle Path and Rock Lake Homeowners Association (RLHA) representatives Meredith Weir and John Laabs appeared.

John Laabs spoke on behalf of the RLHA Board. RLHA welcomes these new neighbors, but have identified four concerns 1) preserving access to the property directly to the west of Phase III, which is owned by RLHA, 2) possible spoilage of the land affecting all 147 lots included in the association, 3) maintenance and the cost of maintenance of the retention area as laid out in the draft agreement (RLHA is not equipped to do this), 4) do not like the idea of creating a separate association. Question and answer followed addressing: How RLHA dues are collected (letters sent annually; most members comply; dues are \$15 so putting liens on debtor properties may not be worth the cost. Association can never be dissolved, but could choose to go inactive. RLHA would like to have more input and be involved in the process.

Atty. Smith asked why Town won't take on the responsibility for the bioretention areas and outlots. Chair. Oostdik responded – Town does not have staff, and would have to contract the maintenance and/or take on the responsibility as a Board. The outlot that is owned by the Town in this subdivision was initially to serve the entire subdivision under the DNR standards at the time (created approx. 15 years ago). The original developer chose to pay the taxes on the outlots all these years, and not until last fall did the Town know that we owned the property and now have maintenance responsibilities for it. We are only the stewards of the taxpayer's money, and we cannot assume responsibility as the entire population of the Town of Lake Mills for those 3 retention areas. Town wants a mechanism in place to recoup the cost of maintenance if/when the Town has to step in. Resident of Bridle Path, Rick Sapp, asked who will inspect the outlots and are the

restrictive covenants going to coincide with those currently in place. Saap's property borders the existing dry pond. Answer per Kason and Atty. Sewell – nothing changes; the current Covenants and Restrictions document applies to the lots in Phase III by deed as laid out 15 years ago, and are attached to the title. The new lots would have added rules to what already exists. Anderson referred to Exhibit B of the proposed Stormwater Easement Agreement, which explains the inspection and maintenance question. No action taken.

b. No board expenses submitted.

- 11) Correspondence – WTA on the farm meetings coming up, and Pipeline Association for Public Awareness mailing, Resident Moker, Bridle Path offered a nontraditional method of purchasing the County salt shed – 100 year lease at \$1/year, or a joint equity shared agreement where they own the land and the Town is added to the title and owns the improvements (County doesn't have to maintain it and Town doesn't pay for it in addition to paying to tear down the buildings which are not worth anything)
- 12) Meetings scheduled are printed on the agenda
- 13) Motion made by Sup. Schroeder to adjourn, seconded by Sup. Peterson. Motion carried.

These minutes are unapproved . Any corrections made thereto will be noted in the proceedings of the next meeting in which they are approved.

Sarah FitzGibbon, Town Clerk