

TOWN OF FULTON

Town Board & Fulton Sanitary District #2 Meeting

2738 W Fulton Center Dr. Edgerton, WI 53534

Tuesday, August 14th 2007

7:00 PM

MINUTES

1. **Call to Order** at 7:05 pm by Chairman Sayre. Present were Sayre, Hull, Farrington, Christianson, Guisleman, and Clerk Zimmerman.
2. **Confirmation of Meeting Notice** – Zimmerman advised the notice was published in the Edgerton Reporter on 8/8/07 and posted at CKSD, Edg. City Hall, Fulton Town Hall, and Town of Fulton's website on 8/6/07.
3. **Approval of Agenda - Motion** (Christianson, Guisleman) to approve. Carried
4. **Approval of July 10, 2007, and July 24th, 2007 Meeting Minutes - Motion** (Hull, Farrington) to approve 7/10/07 minutes. Carried. **Motion** (Farrington, Christianson) to approve 7/24/07 minutes. Carried.
5. **Public Participation**
 - A. Dave Brown asked to the board to review the folder the Chairman and Connie put together on woodstove ordinances; and secondly asked what it is about wood stoves that we cannot handle with the nuisance ordinance. He also stated the conversation has been complicated in discussing it, and felt we'd do just fine with the nuisance ordinance. Brown stated he would like to propose the wind ordinance be left on the table. Brown recommends we wait until the information in Magnolia and Union Townships with Eco Energy all plays out to see what we need to do. Sayre advised he is on the committee for the county to draw up a windmill ordinance, and they have had a meeting at the county. He advised Magnolia Township was there along with 4 other people and there are a couple of townships and the county who will put one together. He said there will be more research done. Sayre advised they are in the development stage.
 - B. Bob Rippberger asked about complaints of driveways that were discussed last month. He stated he didn't see the follow up listed on the agenda tonight and asked where we were at on those. Farrington explained he didn't have the exact addresses. He advised one on Ellendale Rd. ripped out their right of way in their driveway, and the one in Lochwood subdivision removed the cement in his driveway right of way; and one on Richardson Springs and another on Ellendale, the person said it was poured last September and the person will be forwarding a copy of the invoice showing when the concrete was poured. Farrington advised this person did it before the penalty was imposed.
6. **Recommendations from Planning & Zoning Committee** - none
7. **Large Gathering Permit – Rock River Threshere** - **Motion** (Hull, Christianson) to approve the large gathering permit for the Rock River Threshere. Carried.
8. **Discussion re: Regulate Lighting ordinance – Motion** (Christianson, Hull) to recommend to PZ the first (short) ordinance and have legal counsel review it. Carried.
9. **Draft Ordinance amendment for Outdoor Wood Stoves requiring a Conditional Use Permit** – Sayre advised P&Z tabled this item, and we will be getting further information on this.
10. **Discussion re: Wind Energy Systems** - Sayre advised he is on a committee with members of the towns association to put together an ordinance. Farrington advised there needs to be some regulations for zoning purposes. Citizen Brown stated the small systems can be self regulated if you have a CUP where they need to draw a map where they are putting the tower on their property so the tower cannot fall on another's property, and by doing that, it's self regulated. Citizen Brown asked to not make it so complicated. Sayre advised if a tower did fall though, it could have a windmill effect where pieces might go all over. **Motion** (Christianson, Farrington) to table the discussion. Carried.

11. **Final Draft ordinance for point's violation system for liquor licenses.** – Sayre advised the only thing that is different is obstructing has been added. John Kinnett asked about underage violations if they would be per person or per day. Blaine answered it would be per person. Farrington advised the points are assessed upon conviction. **Motion** (Hull, Guisleman) to approve the draft ordinance to be approved and to take effect with the adoption of the new code book. Christianson advised the change in ordinance is to identify the habitually troublesome establishments. Carried.
12. **Piers/Docks owned by Fulton Township** – Sautin explained they looked up the pier and it is somewhat damaged and should be taken out. He advised that pier is on the town's right of way. He said he also found another pier up the river on the right of way, and the landowners have taken care of it and is in good condition. Sayre advised we want to address the ones in bad shape, and the ones in good shape can be left alone.

Mike Romack advised a number of years ago there was one that was not taken care of on town's property, and it was taken out. He stated he doesn't want to loose the walkways and easements. Sayre said there is no question about the easements. Guisleman stated under the state recreational liability act legislation that we are covered and we would not be liable. Guisleman asked that we either run it by our attorney or by the Town's Association attorney. Guisleman stated he would like an answer before we tell someone they can fix a dock on our property. Christianson asked for a copy of the ordinance that we do have on file. Christianson also stated we act on a complaint basis. **Motion** (Christianson, Guisleman) to table this until we get advise from an attorney. Carried.

13. **Culvert issue on Edgewood Shores Rd.** – Sayre explained he went to look at the situation and advised the county representative has spoken to the land owner and they basically are going to re-do the ditch and culvert. He advised it will be put up to grade the way it should be. Guisleman asked if this was at the landowner's expense. Sayre said in his opinion it should be.
14. **Discussion re: Driveway/parking lot sealing, back-fill parking lot for Town Hall & seal coating, double wedge process of resurfacing roads.** – Sayre explained the parking lot is in good shape, and advised the way to keep it in good shape is maintain it. **Motion** (Christianson, Guisleman) to approve the bid to seal coat the driveway and accept the proposal from Fahrner Asphalt for \$3100 and back fill for the proposal submitted by Riley not to exceed \$500. Carried. Sayre explained the seal coating or crack sealing needs to be done and this would need to be done within the next month or so. Christianson confirmed that this would come out of our road budget. Sayre stated yes. **Motion** (Christianson, Hull) to accept the proposal from crack filling service in Cross Plains for a price not to exceed \$7200 for the roads stipulated. Carried. Sayre explained the double wedge process for the roads. Sayre advised we need to have some type of plan. Sayre explained crack filing was done this year, Kidder Rd. is scheduled to be completed this year, and grader patching has been done. He advised we still have snow plowing for this year, along with the typical maintenance costs, and we also approved tonight to take care of the parking lot. Sayre advised he would like to have the culvert on Pomeroy Rd. completed before the Yahara bridge construction. Christianson asked when Kidder Rd. would be done. Vietch advised the hold up is the grinder, but it is on the list to be completed this year. Christianson asked if we need to schedule the culverts even though there are no matching funds. Sayre said he thought we need to. **Motion** (Hull, Farrington) to approve funds for re-doing both culverts on Pomeroy Rd. Carried.

Sayre asked if the board would like him to look around for 2 or 3 roads that would be a candidate for the wedge process. Sayre advised the roads are a major concern and we need to address the issues and the possibility of raising taxes and/or taking out a loan to get them up to speed. Farrington suggested we need to have the figures to look at in the budget work session. Sayre advised the townships are putting pressure on the County to have them get up to date on their billing. Guisleman advised the County is addressing it and have moved a part time employee to full time. **Motion** (Guisleman, Hull) that we proceed with this project with the understanding that budget issues will have to be addressed, and determining what roads will be appropriate. Carried.

15. **Discussion re: Bubba D's RUE's (Residential Unit Equivalent) for FSD2** – Sayre explained Bubba basically wants his RUE' reduced, which would lower his billing. Sayre explained the RUE's are based

- on the number of seats he has in his business. Sayre explained we have had approximately 75% of delinquents paid this year.
16. **Operator's License** – (Amanda Wulff, Kara Geske, Christine Egerstaffer) - Chief Larson advised they passed their background checks. **Motion** (Guisleman, Farrington) to approve the above listed operator's licenses. Carried.
 17. **Report from adhoc committee reference review of new ordinance book** – Zimmerman advised Lichtfuss' are still reviewing the zoning section.
 18. **Building Inspectors Report** – Harold Schrank advised 15 permits were issued last month. He also stated he would like the board's backing to condemn the barn owned by Charlie Mess, 4121 W Miles Rd. Chief Larson agreed it needs to be condemned. Harold advised he hasn't spoke to the owner yet. Sayre suggested Harold talk to him first and if he refuses to take it down then send him the proper paperwork for condemning the barn.
 19. **Police Report** – Chief Larson advised they did more traffic surveys on area roads, and will be doing some more surveys on Newville Rd.
 20. **Approve Voucher list & Financial Statement - Motion** (Farrington, Guisleman) to approve the voucher list & financial statement. Carried.
 21. **Pay Bills/Sign checks-** Checks were signed by Farrington & Hull.
 22. **Water Utility Report** - Hull advised they meet next Tuesday
 23. **Lake District Report** - Christianson stated the annual meeting was last Saturday. He advised approximately 150 people attended. He also advised the special charge was reduced from \$100 to \$45 per parcel.
 24. **Boat Patrol Report** – Sautin advised they have 310 patrol hours in, and have had a busy year. He advised people have been “target practicing” with the buoys, and a couple of them need attention because the tops have been broken off.
 25. **Fire District Report** – Sayre advised they have purchased a thermo imaging camera with money received from a donation.
 26. **Consolidated Koshkonong Sanitary District Report** – Farrington advised they meet tonight.
 27. **Fulton Sanitary District Report** - Sayre advised an invoice needs from the attorney needs to be added for approval of payment to the report. **Motion** (Farrington, Christianson) to also approve the added FSD bill from Consigny, Andrews, Hemming & Grant, S.C. to the voucher list for payment. Carried.
 28. **Set date(s) for budget workshops in September** – Date was set for Sept. 5th, 8:00 am
 29. **Correspondence** – Zimmerman advised she provided the board members with a photo copy of a letter the town received from the DNR in reference to Fin's doing some Riprack work. Zimmerman read a portion of a Thank You letter we received from the MDA that the board members received in their packets.
 30. **Consideration of a motion to convene into Closes Session pursuant to WI State Statute Section 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employees over which the governmental body has jurisdiction or exercises responsibility. Re: Clerk/Treasurer yearly review. Motion** (Farrington, Hull) to convene into closed session. Carried.
 31. **Reconvene into Open Session and make motion(s) or announce any motion made in closed session. Motion** (Farrington, Guisleman) to reconvene to open session. Carried. **Motion** (Hull, Farrington) to approve 3% salary increase for the Clerk/Treasurer beginning Jan. 1, 2008 and approve Income Continuation Insurance through the State for her effective Jan. 1, 2008, and also accept the sick leave policy as written with sick leave to accumulate to 60 days. Carried. Christianson asked for a roll call Guisleman – yes; Christianson-yes; Farrington-yes; Hull- yes; Sayre-yes.
 32. **Adjournment - Motion** (Guisleman, Farrington) to adjourn at 9:25 pm. Carried.

Submitted by,

Connie Zimmerman
Clerk/Treasurer

NOTE: The minutes are not official until approved by the Town Board.