

**TOWN OF SCOTT, BROWN COUNTY, WISCONSIN**  
**MINUTES OF MONTHLY TOWN BOARD MEETING(0716)**  
**AUGUST 14, 2007**

**1. Call To Order**

The August 2007 Monthly Town Board Meeting was called to order by Chairman Mike Van Lanen at 6:00 P.M. on Tuesday August 14, 2007 in the Town Hall. Present were Chairman Mike Van Lanen, Supervisors Cyril Van Laanen, Kenneth Jacobs, Colleen Harris, Thomas DePas, Clerk/Treasurer Don Gibson, Planner Dave Cerny and Constable Leland Baenen.

**2. Verification of Public Notice**

The Affidavit of Posting was read by Gibson. Motion by Jacobs, second by C. Van Laanen to accept and file the Affidavit of Posting as presented. Vote: Aye-5, No-0. Carried.

**3. Approval of Prior Town Board and Plan Commission Meetings.**

**A. July 10, 2007 Town Board Meeting.** Jacobs asked that the minutes be amended to state that C.. Van Laanen seconded the motion to appoint Nikki. Goral to Zoning Board of Appeals.

Motion by Jacobs, second by C. Van Laanen to approve minutes as distributed and amended.

Vote: Aye-5, No-0. Carried.

**B. July Plan Commission Minutes.** Motion by M. Van Lanen, second by C. Van Laanen to approve the minutes as distributed. Vote: Aye-5, No-0. Carried.

**C. July 31, 2007 Town Board Special Meeting.** Motion by Jacobs, second by C. Van Laanen . To approve the minutes as presented. Vote: Aye-5, No-0. Carried.

**4. Public Input**

Motion by M. Van Lanen to suspend the rules of order and open the meeting to public input. Vote: Aye-5, No-0. Carried.

**A. Jill Fermanich Redbud Court.** Asked why portions of concrete driveways are being removed and replaced with asphalt. M. Van Lanen responded that it is to standardize approaches and eliminate risks for snow removal.

**B. Traci Schabel.** Asphalt is not improving appearance. It is downgrading values.

**C. Ann Hogler** Asphalt driveways require more maintenance. Will the Town maintain the driveways

when road maintenance is done. Asphalt has a negative appearance compared to concrete. Reduce the amount of asphalt.

**D. Stephan Schabel** Very upset about the removal of the concrete and replacing with asphalt.

**E. Johanson.** Excessive concrete removal is unnecessary. Also one week of notification before the start of the project is unacceptable.

**F. Harlan Basten** Why is Romuald house(Town Hall Annex) being demolished. It should be rented until there is a defined need for the property.

**G. Ken Hendrickson.** How were costs and values determined for the assessment revaluation.

Motion by Jacobs, second by C. Van Laanen to return to the agenda. Vote: Aye-5, No-0. Carried.

## **5. Reports by Clerk, Treasurer and Planner**

**Clerk.** Population estimate is 3571. Increase of 36. No reason to challenge. Recycling education grant application has been filed. Brown County is considering single stream collection of recyclables. More input received on administrative job duties. Schedule separate meeting with Town Board to review.

**Engineer.** Fred Sheppard has requested a review of decision to deny his use of ROW to install a water line across Bay Settlement Road. No reason to change. NEWSC meeting on 8/13/07. Memo of understanding approved to allow funds to be used by East Central Regional Planning Commission for education on storm water management issues.

**Planner.** WS Packaging has purchased land from City of Green Bay for office building. It is in Joint Plan Commission area. Will be reviewed at 8/15/07 Meeting. Request has been received for safety and speed limit signs on Maloney Road.

## **6. Specific Matters for Discussion and Action by the Town Board in Open Session**

### **A. Presentation by Chamber of Commerce Representative.**

No presentation. Awaiting arrival of Chamber of Commerce Representative.

### **B. Special Legal Counsel for Bayshore Sanitary District Financial Audits.**

State Statute 60.76 requires that an audit of financial transaction of a sewer district must be completed and filed with the Town before the Annual Meeting which is second Tuesday of April each year. Audits for 2005 and 2006 were delivered at 9:15 P.M. on August 13, 2007 to Town Chairman home .Town of Scott Attorney has recommended hiring of a Special Legal Counsel to pursue the matter if the Bayshore Sanitary District Commissioners have not approved the reports. Motion by DePas, Second by Jacobs to appoint a special legal counsel to obtain necessary approved financial audits after 30 days to allow for Bayshore Sanitary District Commissioners to review and approve the audits. Vote: Aye-5, No-0. Carried.

### **C. Request for Commercial Sign on Parcel Sc-312 East os Sh57.**

Discussion followed on approval by Wis. Dept. of Transportation. Harris will contact DOT to verify that proper procedures were followed. Motion by C. Van Laanen, second by M. Van Lanen to table issue until next meeting. Vote: Aye-5, No-0. Carried.

#### **D. Sex Offender Ordinance.**

Paul Vanden Plas of the Plan Commission explained that the Plan Commission has received input from the Dept. Of Corrections and the sheriff department recommending that the proposed ordinance not be adopted. sheriff department stated that they know where sex offenders are and maintain contact with them. The ordinance as proposed is not effective. Plan Commission voted to not adopt the proposed ordinance.

Motion by M. Van Lanen, second by Jacobs to accept the Plan Commission recommendation and not adopt the Sex Offender Ordinance as proposed. Vote: Aye-5, No-0. Carried.

#### **E. St Kilian Estate Storm Sewer Relocation.**

Cerny explained that a storm drainage ditch crosses lots in the northeast corner of the St Kilian Estate Subdivision to transport water from the Tauschek property to the pond.. This ditch needs to be moved to facilitate plans for future building on the property. A proposal to locate the ditch to the west edge of the concerned properties has been proposed by Robert Nooyen. Motion by Jacobs, second by C. Van Laanen to allow for relocation of the storm water ditch into Town right of way with appropriate permits and engineering by Town of Scott Engineer. Vote: Aye-5, No-0. Carried.

#### **F. Order and Stipulation for Withdrawal of legal Action on Hickory Nut Road.**

Town Attorney Duffy has presented information that a stipulation to withdraw legal action has been submitted to Judge Warpinski. Awaiting Judge Warpinski's action. Issue will be reviewed at Special Town Board meeting at 3:30 P.M. on August 28, 2007. Note: meeting changed to 6:00 P.M.

#### **G. Paving of Bay Settlement Road/West Champeau Road Intersection.**

The west side of the intersection is being repaired as part of the Bay Settlement Road project. Some of the road is not part of the project but needs replacement. Two options are available. Cost is \$17,000 to redo the intersection with 3 inches of asphalt or \$6,000 for 1.5 inches of asphalt. Motion by DePas, second by Harris to spend \$17,000 with proper base to repair the intersection of Bay Settlement and Champeau Road intersection. Vote: Aye-3, No-2. Carried

#### **H. Hazardous Materials Survey/Demolition of Property at 3697 Algoma Road.**

Gibson reported that samples for hazardous materials have been taken from the property at 3697 Algoma Road. 14 samples have been taken which will be tested at a cost of approximately \$125 each. Results will be available in two weeks. Motion by M. Van Lanen, second by C. Van Laanen to table any decisions until receipt of test data. Vote: Aye-5, No-0. Carried.

#### **I. Resolution 2007-08-01 to Authorize Clerk and Engineer to Approve Pay Request and**

##### **Reduce Letter of Credit Values.**

Letters of credit have been established to guarantee payment of construction projects. Town authorization is required to reduce letters of credit in the amounts that are authorized. Motion by DePas, second by C. Van Laanen to approve Resolution 2007-08-01 to authorize Clerk and engineer to approve pay requests and reduce

letters of credit. Motion by DePas, Second by C. Van Laanen to authorize Clerk and Engineer to approve pay requests and authorize reduction of letter of credit. Vote: Aye-5, No-0. Carried.

#### **J. Cost for Concrete Floor and Use of Storage Space in Pump Station.**

Estimate has been received from Ken's Concrete Placements for \$925 to fill in floor in pump station. Discussion followed on the need to have storage space for town and need for a furnace to replace electric heat in pump station. Motion by DePas, second by M. Van Lanen to approach the water utility district for use of space in the pump house in compensation for paying for concrete installation and relocation of the gas furnace from the town hall annex. Vote: Aye-4, Abstain-1. Carried.

#### **K. Request of Pat Bienzen to Pave Debra Ann Drive.**

Map of area was presented by Cerny. It had been reviewed with Sanitary and Water Utility District. Comments received that this is incidental development and should have a subdivision plot.. Termination of facilities in SC 226 need to be defined. Sewer and water should be extended to the end of the cul de sac.

Motion by M. Van Lanen, second by C. Van Laanen to suspend rules and allow public input. Vote: Aye-5, No-0. Carried. Jeff Z asked for definition of how far the road has been extended.. Pat Bienzen stated that storm water must be managed and a future subdivision must have a plan. Motion by M. Van Lanen, second by Jacobs to return to the agenda. Vote: Aye-5, No-0. Carried.

Motion by Jacobs, second by M. Van Lanen to proceed with plan to pave Debra Ann Drive with cul de sac with a letter of credit to cover the cost contingent on proper extension of sewer and water extended to the end of the road not to exceed 376 feet. Discussion followed on the need to review the land contracts on the property to be provided by Bienzen. Vote: Aye-4, No-1. Carried.

#### **L. Appointments**

M. Van Lanen recommended that Robert Fuhr be appointed to a three year term on the Plan Commission to end on 7/31/10. Motion by C. Van Laanen, second by M. Van Lanen to appoint Robert Fuhr to a three year term ending July 31, 2010. Vote: Aye-5, No-0. Carried.

M. Van lanen recommended that Dale Herold be reappointed to a three year term on the Plan Commission. Motion by Jacobs, second by C. Van Laanen to appoint Dale Herold to a three year term on the Plan Commission to expire on 7/31/2010.

No decision made on Jim Denissen on Zoning Board of Appeals.

Wayne Moureau's term as a commissioner representing the Town of Green Bay on the New Franken Sanitary District expires on 8/31/07. Motion by C. Van Lanen, second by M. Van Lanen to reappoint Wayne Moureau to a term expiring on 8/31/13. Vote: Aye-5, No-0. Carried.

#### **M. Citation Ordinance.**

No discussion. Motion by C. Van Laanen, second by Jacobs to table the issue to a future meeting.. Vote" Aye-5, No-0. Carried.

#### **N. Bertrand Lane Final Plan.**

Scott Brosteau presented two options for completion of the end of Bertrand Lane. One was with a wye turnaround and the second was with a cul de sac. Motion by M. Van Lanen, second by Harris to proceed with the cul de sac option. Discussion followed on land ownership issues in the area. Part of area of Bertrand

Lane is owned by Greg Joski. He would dedicate it to the town if he would have no assessments now or in the future. Scott Brosteau recommended that an agreement be developed with Greg Joski that no future assessments be levied. Scott Brosteau stated that the legal description of the yard waste disposal site is incorrect and needs to be corrected. Vote: Aye-5, No-0. Carried.

## **7. Communications**

**A. Recycling Efficiency Grant.** Grant application is being processed by Brown County Recycling. Single stream recycling collection is being reviewed.

**B. Bay Settlement Road Construction.** Storm sewer is finished. Special provisions will be made for garbage collection. Champeau Road intersection funding needs review. Project is on time.

**C. Humane Officer Training.** Being held in Madison at cost of \$1500.

**D. Zoning Ordinance and Map Update.** Planned dates have not been met. Procedures for implementation have been changed.

**E. Long Range Transportation Plan.** Available at Brown County Planning.

**F. Roads.** PASER inspection and rating to be done in September. Grass cutting in progress. Street sweeping on Bay Settlement Road is completed.

**G. Fire Truck Status.** Truck has not been completed. Financial issues need to be resolved. Special meeting of Fire Commission will be held.

**H. Yard Waste Disposal** Complaints receive from Sussex and Champeau Road. Letters have been sent to all property owners. in affected area.

**I. Complaints.** Reckless operation of farm equipment on Edmund Road and speeding on Maloney Road. Blasting in Scotland Meadows.

## **7. Clerk/Treasurer Financial Approvals**

On hand balance is \$307,253.08. Receipts of \$403,357.24 and disbursements of \$526,605.14 were presented. Motion by Jacobs. second by C. Van Laanen to approve financial reports. Vote: Aye-5, No-0. Carried.

## **8. Next Meeting/Adjournment**

Next meeting will be September 11. Paser road inspection on September 6. Board of Review and Special Town Meeting on August 28. Motion to adjourn by M. Van Lanen, second by Jacobs. Carried. Meeting adjourned at 8:15 P.M.

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Donald L. Gibson

Clerk/Treasurer