

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN

MINUTES OF JULY 8, 2009

TOWN OF SCOTT SPECIAL TOWN BOARD MEETING

JOINT MEETING WITH THE WITH OTHER ELECTED AND/OR APPOINTED BOARDS AND COMMISSIONS (BAYSHORE SANITARY DISTRICT COMMISSION, JOINT PLAN COMMISSION, TOWN OF SCOTT PLAN COMMISSION, ZONING BOARD OF APPEALS, SCOTT SANITARY DISTRICT #1 COMMISSION, ROYAL SCOTT SANITARY DISTRICT COMMISSION, NEW FRANKEN SANITARY DISTRICT COMMISSION, NEW FRANKEN FIRE DISTRICT COMMISSION, TOWN OF SCOTT WATER UTILITY COMMISSION, TOWN OF SCOTT STORM WATER MANAGEMENT UTILITY ADVISORY COMMITTEE)

- 1. Call To Order:** A Town Board Special Meeting with representatives from the above stated Town of Scott Boards/Commissions/Committees was called to order at 6:00 pm on July 8, 2009 in the Town Hall by Chairman Mike Van Lanen. Representing the Town of Scott Town Board were Chairman Mike Van Lanen, Supervisor Cyril Van Laanen, Supervisor Kenneth Jacobs, Supervisor Jeffrey Zlatohlavek, Clerk/Treasurer John Roth, Economic Development Coordinator Dave Cerny, Town Attorney Dennis Duffy, Town Engineer Scott Brosteau, Constable Harvey Anderson. Excused: Supervisor Tom DePas.

Chairman Mike Van Lanen had the various members of the other Commissions/Committees/Boards in the Town of Scott introduce themselves:

Mel Deprey, Harlan Basten, Kevin Tielens, Paul VandenPlas, Jim Denissen, Cletus Willems, Scott May, Mary Ullmer, Gary Salmon, Gene Olson, Mark Verbeten, Bob Fuhr, Scott Thompson, Bill Roskams, Jerry Charlier, Cindy Freitag, Don Gibson, Bob Taicher, Harvey Anderson, Jill Fermanich, Marty Holden, Steve Van Laanen, Mary Valitchka, Bob Bertrand, Norm Strebel.

Chairman Mike Van Lanen stated that he and the Town Board appreciate the hard work that all of the members of the Commissions/Committees/Boards do for the Town. The purpose of this meeting is to share information between the various Boards/Commissions/Committees.

- 2. Affidavit of Posting:**

**MOTION KEN JACOBS/CY VAN LAANEN** to accept/file the Affidavit of Posting. Vote:Aye-4. No-0. Carried.

- 3. Introduction of members:** done at role call.

- 4. Discussion of the Annual Meeting's recommendation of the consolidation of the sanitary districts and water utility district into a Town Utility District. No action will be taken on this issue:**

At the Annual meeting a motion was made and passed, to incorporate all sanitary districts, water utility and storm water utility into one Utility. Before the Town becomes a Village, this has to be done. The Annual Meeting does not have the power to consolidate, it is only a recommendation/advisory vote. Chairman Mike Van Lanen explained that he wants to hear from the people in attendance at this meeting. He stated that all of the districts are running smoothly and efficiently. Some of the districts have a good amount of money put away in savings. New Franken is paying off their debt quickly.

Chairman Mike Van Lanen again stated, "I am not pushing for the consolidation of the districts."

There are three ways a consolidation could happen:

1. If all of the districts agreed to do this.
2. Can be done by referendum.
3. Dennis Duffy: The Town Board does have the authority to expand the Water Utility District and then dissolve the sanitary districts, the statutes do allow this. He further explained details and complexities of the process.

The referendum method would be unlikely. Another complicating factor is that New Franken Sanitary District is in multiple Towns. You would have to go to the other Towns to get their involvement.

Mel DePrey: handed a copy of the statutes to Town Attorney Dennis Duffy: To consolidate the Town Sanitary Districts they must be contiguous.

Dennis Duffy: 66.0827(5) The Utility District could dissolve (there is a difference between consolidation and dissolve).

Mike Van Lanen: there has been talk that consolidation would save money. This is not necessarily true. A full time person would need to be hired to oversee the entire district. Probably another person would need to be hired to help with the billing. So there would be the need for two hired salaried positions and benefits. There would not be saving, it would probably cost more.

Mel Deprey: one person could not handle the oversight of the districts.

The combined utility district would pay for the maintenance of the entire district.

Discussion on how the sanitary districts could consolidate, and if they either all did or a couple of them merged they would still be just responsible for sewer. The Town if it used the utility's authority it would consolidate and control sewer and water.

Harlan Basten: how would debt retirement be handled? Mike Van Lanen: the debt would still be each district's responsibility. Dennis Duffy: everyone would become customers of the utility district, debt retirement would still be the responsibility of each district.

Extensive discussion on how the merger would affect each district: NF pays more per REU than any of the other districts and has extensive debt; Scott 1 has more than 1/2 million dollars in reserve; Bay Shore sanitary district pays according to volume and effluent strength.

Mel Deprey: what about surplus, some districts have surplus. No clear answer.

Marty Holden: separate enterprise funds, separate income statements and balance sheet to keep debt and surplus funds separate to each district..

New Franken pays \$50 per month for debt retirement. New Franken needs development to help its debt retirement.

80% of the Town does not have water. Those that have water would have a different bill.

There is a difference in how Green Bay Sewerage bills the four districts.

Harlan Basten: who would run a combined Utility District?

Dennis Duffy: the existing Utility District would run it. No politics.

Mark Verbeten: asked the question: is the Village status tie in to the Border agreement? Yes. Chairman Mike Van Lanen explained the Border Agreement with the City: 30 year (no annexation) & the 15 year (to become a Village).

Mark Verbeten: if there is no monetary advantage to combining the districts, why is this being brought up? Bigger is not always better. The individuality of the districts would be lost. There is no advantage.

Cindy Freitag: is there a promise from Green Bay Met to bring the cost down? It would be easier for them to have one rate.

Mike Van Lanen: In discussions with Green Bay Met, they do not talk like they would lower the rates.

Mike Van Lanen: we do need to plan for Village status. We have to keep pushing forward. The whole Town might not become a Village.

Gary Salmon: the four districts creates involvement, extra people are involved.

Harlan Basten: asked a question about annexation, the City took some of New Franken, they are supposed to pay New Franken, they should be paying this year. It is \$120,000-180,000 (26 lots at \$6000 per lot plus one percent per year). Mike Van Lanen said that he can talk to Allison Swanton from the City. Dennis Duffy explained that the agreement is between the City and the Town and that it should be the Town's responsibility to pursue this issue, NF would just be a beneficiary.

Gene Olson: what district is "broken" why fix what is not broken? I can't find an advantage to a consolidation.

Information was provided that Bayshore's problems in the past would have been avoided if there would have been a unified district.

Marty Holden: there would be some efficiencies with combined (combined accountant fees, attorney fees, admin. fees, engineering fees, etc).

Discussion of whether wells need to be capped if water is provided. Mel Deprey stated that wells do not have to be abandoned.

Don Gibson: explained his history and experience in the Town. 30 years in the Town Hall. We do not have a single "Town of Scott", we have "four". He also has raised the question on how expansion is going to be planned especially for someone like him who is on the outskirts of the district. He has a 25 year old mound system. Can sewer be provided? What does it cost to hook up, there are different rates, different methodology for each district. GB Met recognizes the Town of Scott, not the sanitary districts. You have to look like a Village, we look like four Villages. New Franken pays \$50 per month for service, some districts pay \$15 per month.

Mel: there has been no request to expand a sanitary district.

Discussion of the Wequiock School: will it stay open? It will need to upgrade septic and well. Dialog on how water and sewer would affect Wequiock School and the surrounding area.

The Water Utility District does cover the entire Town.

Mike: When is it a good time to do a consolidation/combination? It is "political suicide" for the Town Board to do this. But for Village status, we will need to consolidate.

Gary Salmon: concerning Village status asked how long/when? Five years? Ten years?

Bill Roskams: Plan Commission: we have not discussed the consolidation issue. Where the sewer expands, growth goes that way. Discussion on how sewer and water affects development and how the Comprehensive Plan is affected by the expansion of these services.

Bob Fuhr : we need to be planning toward Village statue. Five years went by real fast.

Cyndy Freitag: we need information, we need hard numbers, cost savings, goals, objectives, time line. We need an adhoc committee to study this, a feasibility study, so we can move past the emotion of the uniqueness of the districts. How many wages are being paid by all of the people in the district. The ad-hoc committee should have one person from each district and include the Plan Commission too. Recommendation that the financials be provided to each district so they can each begin to digest the facts and financials. Other costs need to be examined to see if there are savings. GBMSD also needs to be consulted to see if there is a possibility of cost savings by merging.

Mike Van Lanen: may have to hire an outside consultant.

Gary: copy audits to all, \$1000 per month payroll for Royal Scott. \$3000 for Scott Sewer.

Steve Van Laanen: will there be savings for the customer. That needs to be looked at. Will GB Met give a break if consolidated?

Mike Van Lanen: what is best for the homeowner. We would need a study done. Should we form an adhoc committee: Plan Commission Storm Water Management Committee, representation from each district. Where do we go from here?

Bill Roskams: my recommendation: leave the districts alone, but do a centralized billing, one billing. That would help toward the process. One place to call instead of four "answering machines". One person in the Town hall to answer questions for all of the districts. This would be a small start.

Gary Salmon: what if Royal Scot is not in the Village, what would happen? Mike: The Village could annex the rest of the Town.

Mike Van Lanen: explained the village status.

Don Gibson: for Village status, we are missing one key ingredient: there is no village center, we met all of the state's other requirements. 80% of the Town is on sewer. Who is going to replace the great people that serve now? Bayshore or any of the districts could go down hill quickly without decent control.

Water pipes on Highway 54 to the County Shop. A major development needs to be planned before the water would be extended in this area.

Royal Scot is happy with the way things are (separate districts).

Mike Van Lanen: a study is needed so we have answers. The Plan Commission is going for Village status for the entire Town. The 2010 Comp. Plan becomes law. The state says we are supposed to follow it to the law. No one is to be excluded, but we still need a village center. The Plan Commission is looking at multiple village centers.

Mike Van Lanen: I will call up a few people for an adhoc Committee.

#### **5. Single Stream Recycling:**

The County is moving toward this. The Town is moving toward this also, as years ago the Town signed an agreement with the County in regard to single stream recycling. Tipping fees are sky-rocketing. The Town is in the process of purchasing 95 gallon containers for \$46.00 a piece. All recycling will go into the new container, then taken to a sorting center. Only savings now for single stream recycling is a cheaper cost of the container if purchased this month. The Board has not decided yet, but a one time special charge for the cost of the container will be placed on the tax roll. The current \$75 special charge (on the tax roll) may have to go up due to the increased cost of garbage and recycling. There is a four dollar cost difference between the 95 gallon and the 65 gallon container. We will have a small amount of the 65 gallon. Mike explained how the automated truck will work.

#### **6. Jean Nicolet Statue:**

Jean Nicolet statue update: it is being relocated to the Wequiock Park. There is no cost to the Town for this, the DNR and DOT are paying 100% for this. The County placed an "overlook" at the park, as some of the rock shelf collapsed.

#### **7. Codification Update:**

The Town contracted with General Code to have the Town's ordinances "codified". The process will be completed in 2010. General Code will be computerizing all of the Town's existing ordinances, making recommendations/changes for outdated and inconsistent legislation and recommending new ordinances. When this project is done, the Code book will be available on the website.

#### **8. Storm Water Management:**

The DNR says that we are an urban town, that the Town had to adopt a storm water plan and ordinance and create a Storm water Advisory Committee (advisory to the Town Board). This Board will be analyzing the requirements and recommending a fee which will need to be gathered to fund and meet the requirements. The regulations will require new construction to be permitted and regulated. Complexities will still need to be analyzed as it related to the NF storm water district and Drainage District #4. This committee is in the process of updating the ordinance and creating the fee charge for storm water management. Town Engineer Scott Brosteau updated the group concerning the process. Chairman Mike Van Lanen explained the DNR requirements. A storm water permit will be required to build a house. This is Town-wide.

Harlan Basten: asked about the retention pond for the Humboldt district? Mike Van Lanen said that there has been some talks with Drainage District #4.

Mike Van Lanen: There will be a flat fee for Residential, AG would have one homestead charge.

Mary Ullmer: when we have a complaint, do we go to the storm water utility when people sump pump on to their land? Mike Van Lanen said no.

#### **9. Plan Commission:**

Bill Roakams: we are working on the update of the Comprehensive Plan, it is due by 2010. We are looking to the location of the Village center, we have four possibilities for a Village Center. The State suggests that a Village center be approximately one square mile which should include a combination of retail, school churches, offices, multi-family.

#### **10. Hickory Nut road construction projects update:**

After many years of discussion and debate, Werry Road/Hickory Nut is finally being done. Gravel is done, need to pave and sign.

#### **11. Road projects update:**

Supervisor Ken Jacobs updated the group on what projects are being done this year. The Town will be working on shouldering this summer also.

#### **12. Rescue Service:**

Chairman detailed plans on how rescue could be provided by the City for the same cost as County Rescue. The City would also be able respond to a call with a fire truck from Humbolt. We want to speed up rescue. We are

working with County Rescue. We need First Responders. Fire Department members are EMT trained. There is a big push for First Responders. It takes 64 hours of training to become a First Responder. Let us know if any are interested.

### **13. Park Commission:**

As part of the Comprehensive Plan, the Town is forming a Park Commission. This committee will need to develop a park plan. If you have ideas, let us know. To get grants we must have registered trails and have a Park Commission.

### **14. Various issues:**

Mel Deprey asked if "Per Diems" are being given for this meeting? Chairman Mike Van Lanen said yes.

Gary Salmon: They are with the Bank of Luxemburg. 2.3% for savings.

Gary Salmon: does the Town have control over the size of farms? At time there is a problem with manure smell. Chairman Mike Van Lanen stated that the farms were here first and that currently the DNR regulates. The Town of Scott is AG. The farms are doing a business. They need to handle the waste. Mike has tried to get the farms to till under. The Town does not have control over the farms. Norm Streble: farms are regulated on manure spreading, controlled by the County. The weather affects smell too.

Harlan Basten: who cuts the grass at the park? The grass/weeds needs to be weed-wacked in the ditch/pond area. .

Bob Bertrand: asked about pot holes on the corner Bay Settlement and Champeau Road. Ken Jacobs will look into this.

Mary Ullmer: asked if any citations have been issued? Chairman Mike Van Lanen said that none have been issued. Van Lanen explained the ordinance violation procedure: a person receives a verbal warning, then a written warning, then a citation. We pay \$500 per year to Municipal Court.

Bob Fuhr: Asked about variances/building permits and site visits. The Town needs to regulate. If a person gets a permit from the Town / with the Zoning Board they sometimes see a building that doesn't look like what they had reviewed. This he sees as a house keeping issue. A master file could be created for each parcel/building. Need for educating a person on what a 'hardship' consists of.

Jim Denissen: asked about variances. The Town needs a new form and increased fee to cover the Town expense. Applicants need to understand "Hardship" issues. Chairman Mike Van Lanen stated that Variance fees are now \$740.00 to cover actual cost.

Mel Deprey: Variance fee is too high, need to reduce the "per diem", only one member should do a site visit. Chairman Mike Van Lanen disagrees, Plan Commission members and ZBOA members need to do site visits.

### **15. Adjourn**

**MOTION KEN JACOBS/JEFF ZLATOHLAVEK** to adjourn. Vote: Aye-4, No-0. Carried. Meeting adjourned at 8:45 pm.

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John Roth, Clerk/Treasurer