

Approved 10-2-14

TOWN OF WINDSOR  
REGULAR BOARD MEETING

Minutes

September 18, 2014

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Supervisors present: Alan Buchner, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Don Madelung advised that he would be late. Others present: Town Finance Director Tina Butteris, Town Planner Jamie Rybarczyk, and Town Attorney Constance Anderson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was recited.

3. Announcements.

For those in the audience who are present for the Bear Tree Plat or Yahara Materials items, they are asked to sign in with their name, address, and whether they want to speak. Audience members will then be called on to speak based on the sign-in sheets.

4. Approve Minutes.

- a. September 4, 2014, 8:00 a.m.
- b. September 4, 2014, 5:00 p.m.
- c. September 9, 2014.
- d. September 10, 2014.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the Minutes of September 4 (8:00 a.m.), September 4 (5:00 p.m.), September 9, and September 10, 2014, as presented. Motion carried with a 5-0 vote.

5. Finance

a. Staff Report On Finances.

Town Finance Director Butteris noted that some additional invoices and a couple of additional reports were provided. The park fee from Wolf Hollow has been received. The town has also received the franchise fee for this quarter. Building permits are at 34 single-family residences for the year, and that is exactly where the town was at last year. Town Finance Director Butteris provided budget comparisons, which should be around 67 percent. The general fund is at 89 percent with expenses at 60 percent.

b. Consider Vouchers For Payment.

A motion was made by Supervisor Smith, seconded by Supervisor Buchner, to approve the vouchers presented for payment. Motion carried with a 4-0 vote.

c. Treasurer's Report.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to approve the Treasurer's Report as presented. Motion carried with a 4-0 vote.

d. Budget Report.

A motion was made by Supervisor Smith, seconded by Supervisor Stravinski, to approve the Budget Report as presented. Motion carried with a 4-0 vote.

6. Appearances Before The Board.

None.

7. Citizen Input On 2015 Budget.

None.

8. Future Governmental Structure of Windsor.

Chairperson Wipperfurth advised that this is a place holder on the agenda to talk about the Town Hall meetings held in July and any citizen comments.

9. Operator Licenses.

Chairperson Wipperfurth advised that there was one application before the Town Board. Town Clerk Christine Capstran recommended approval.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to the approve operator license for Toni R. Flaig based on the recommendation of town staff and the town policy. Motion carried with a 4-0 vote.

10. Resolution 2014-57 Don Tierney Requests Approval Of A Certified Survey Map In Order To Combine Lots 16 And 17 In The Field Of Dreams Addition To Windsor Gardens And Is Located At The Intersection Of Covered Bridge Trail And Morning Dew Lane.

Town Planner Rybarczyk provided a staff review. Mr. Tierney is looking to combine Lots 16 and 17 of the Field of Dreams addition to Windsor Gardens. He would like to construct a single-family residence on the lot, and it may or may not be entered into the 2015 Parade of Homes. On the plat there is a drainage flow arrow. At the time the building permit is pulled, Mr. Tierney will have to sit down with the Town Engineer to show how the drainage will be rerouted. Nothing has been mentioned in the Resolution about park fees because this has already been collected. Approval was recommended.

Deanne Symbolik, 3703 Meadowbrooke Circle, was curious if this was an individual who wanted a larger lot. Town Planner Rybarczyk responded that he did not know. Chairperson Wipperfurth replied that there is someone interested in the lot.

A motion was made by Supervisor Stravinski, seconded by Supervisor Buchner, to approve Resolution 2014-57 Conditionally Approving Certified Survey Map Combining Lots 16 And 17 Of Field Of Dreams Addition To Windsor Gardens Subdivision In The Town Of Windsor, Dane County, Wisconsin, noting that no additional park fees are due. Motion carried with a 4-0 vote.

11. Resolution 2014-58 Tim Gotzcion Requests Approval Of An Amendment To The Environmental Corridor For The Windsor Blue Plat.

Town Planner Rybarczyk indicated that Mr. Gotzcion has been working on his preliminary plat for Windsor Blue. As part of the engineering, he has identified proposed adjustments to the environmental corridor based on actual soils and vegetation and is requesting the town recognize the designation. After town approval, it goes to CARPC for placement on its maps.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith.

Deanne Symbolik asked about the watershed to which Town Planner Rybarczyk responded. The wetlands to be designated will be less than what CARPC presently shows on its maps.

Motion carried with a 4-0 vote.

12. Resolution 2014-51 Bear Tree Farms, Inc. Requests Consideration Of A Preliminary Plat For Bear Tree Farms and Rezone For Property Generally Located At The Southeastern Corner Of The Intersection Of Highway 51 And Windsor Road, In The Town Of Windsor. The Proposal Includes 594 Residential Dwelling Units Of Single Family, Multi-Family And Senior Housing And A Park And Trail System.

Chairperson Wipperfurth reminded the audience if they wished to speak in regard to this agenda item that they please fill out a sheet of paper in the back to register to speak, noting whether they are for or against the matter and any additional comments.

A staff report was provided by Town Planner Rybarczyk. The preliminary plat is before the Town Board for the Bear Tree Farms project. The Plan Commission has seen and approved it. The Board has seen it on at least one occasion. There have been various forms of the plat because of various conditions.

The project consists of 227 acres. The developer is looking to do mixed use consisting of single-family, multi-family, senior, and a commercial lot. There will be 362 single-family units, 168 multi-family units, and 80 senior units. There will be 1.5 acres of commercial, 30 acres of parkland consisting of one large park and four tot lots, and 16 acres for storm water management. This is to be developed in nine phases. Single-family lots will range from 12,000 square feet to 23,000 square feet. The larger half-acre lots will be located closer to Terrace Park. The project has come through many revisions of the street connectivity. The developer has provided a storm water management plan, preliminary engineering plans, a utility design report, a water system evaluation memo, an environmental assessment report, a tree preservation plan, and an affidavit of ownership status.

Town Planner Rybarczyk indicated he has looked at this from different standpoints. Regarding the town's Comprehensive Plan, this is in the transition portion of that plan. There will be 610 dwelling units, which when calculated out based on the gross area is 2.7 dwelling units per acre. Regarding the Cooperative Plan, the village of DeForest and Town of Windsor saw this and in 2011 agreed to a general concept of land access and densities. Regarding the town of Windsor Code of Ordinances, all lots have to be 12,000 square feet. At this time, all lots are at least 12,000 square feet. All streets in the urban service area have to have curb and gutter. When going through this development, curb and gutter did not help with infiltration. The developer is asking for a waiver. All streets have to have sidewalks. Because of the rural cross-section and the additional street for sidewalks on both sides, the developer has put together a 10-foot multi-purpose trail in place of the sidewalks. The trail will not be on every street.

Town Planner Rybarczyk highlighted Town Engineer Richardson's comments. Utility agreements for water and sewer service will have to be approved by Windsor Sanitary District No. 1 and the Town Board. Sanitary sewer service plans will have to be approved by Windsor Sanitary District No. 1. Easements for the multi-use paths will have to be approved by the town.

Approval is needed from Dane County Land Conservation for the Stormwater Management Plan and Erosion Control Plan. A pavement design report shall be submitted to verify that the proposed pavement cross-section is sufficient.

Town Planner Rybarczyk noted that several buildings on Lot 268 will be removed prior to construction of the multi-family for Phase 8. Lot and outlot numbering will be revised in accordance with the phasing.

There are town policy concerns regarding the ratio of single-family housing and multi-family housing which should be at 70 percent single-family and 30 percent multi-unit. The ratio was not quite there, but that ratio was achieved earlier in the week.

The developer has complied with the street network. The community park improvements would include parking, shelters, a baseball and softball diamond, a basketball court, two volleyball courts, and an outdoor pool. The town has not taken a stance on the amenities in the park.

The developer has agreed to decrease the plat to 596 units. This reduction brings the plat to the 70/30 ratio. There will never be more than 152 multi-family units.

A new preliminary plat has been received from the developer. DeForest wanted a connection from Warner Drive to Pederson Crossing.

Town Attorney Anderson advised that information was received from the developer since the Board packets went out, which was information that the town requested or was on point. The town could look at Resolution 2014-51 that was in the packet but also update that information with the internal memorandum that was received from Town Attorney Anderson dated September 17 to make sure the unit information is accurate. It is her recommendation that Resolution 2014-51, as amended, have a delayed effective date of October 2 to allow the Town Board to confirm that the final documents reflect the final discussions at the meeting, assuming that no additional information will be provided between now and October 2, and for the Resolution to take effect on October 2. If it did not agree, it would have to be revised and adjustments made. The Comprehensive Plan is a guideline for density. The 15 percent open space is also being viewed as a guideline limited to 364 single-family lots. Along the eastern boundary of the plat, those lots would remain at 20,000 square feet or more and also the single-family lots would remain at 12,000 square feet. Multi-family will be on Lots 1, 3, and 270, with the number never being more than 152 units. If senior housing increases, multi-family units will decrease. A waiver has been requested by the petitioner regarding the curb and gutter requirement, with the use of a rural cross section with open drainage swales being approved. A waiver has also been requested by the petitioner regarding the sidewalk requirement. Replacing the sidewalk would be 10-foot multi-use paths which would not be on every road.

Surveyor Dan Birrenkott gave the general location of the development – between Highway 19 and Windsor Road, east of Highway 51 and west of Terrace Park. He showed how the trail network would fit. There would be a 20-acre park, along with four other parks. He also showed a phase map and how the property will be zoned.

Supervisor Madelung arrived at this time (5:45 p.m.).

The trail network would be a 10-foot path. He also explained some of the concerns advanced were regarding differences between this plan and the 2011 plan. There were 364 lots vs. 324 lots and commercial is now one lot that is 1.4 acres vs. a 2-1/2 acre lot. There were 3 acres previously dedicated to office and retail. That has now been removed. Previously there were 12.2 acres of parks. Now the development has 29.8 acres of parks. There had been 3.4 miles of trails. Now there are 4.2 miles of trails. Storm water management had been at 13 acres; it is now 16 acres. The storm water on the land has to stay on the land. Multi-family had previously been 40 acres; it is now 20 acres.

Attorney Mike Lawton indicated that the proposal has been seen by the Plan Commission, and there were three items to be worked out: (1) The street layout has been met. (2) They will work on parks. (3) Exactly what numbers would be in the multi-family/senior component. The developer was fine with what Town Attorney Anderson proposed to be included in the Motion. Senior housing would be age-restricted, assisted living, and nursing homes. This could be in the form of rental condos, zero-lot-line duplexes, assisted living, and nursing homes.

Kyle McLean, 6716 Winding Way Court, indicated she opposed the application and was also speaking on behalf of her husband. She asked about the park and the plan for a swimming pool and baseball fields. Dan Birrenkott indicated that it was just a placeholder right now for a location. Ms. McLean stated she had grandkids that play baseball. She said the town does not use the fields that it has. Sun Prairie has a swimming pool. She questioned whether that is something our taxes should go to. She questioned the placement of the water tower.

Dan Birrenkott showed the location of the water tower and indicated that the land is set.

Steve Pederson added that the baseball diamond will be for the home talent teams, an adult league.

Ms. McLean asked why the density went up.

Steve Pederson responded that they took multi-family out.

Chairperson Wipperfurth stated that the location of the pool is only a placeholder. It would need a significant investment from the town and would need to be financed by the town.

Ms. McLean also had a question regarding the senior housing.

Dan Birrenkott responded.

Chairperson Wipperfurth added that the areas that Ms. McLean was referring to were in the village of DeForest, not the town of Windsor.

Jason Arnold, 6867 County Highway C, Sun Prairie, stated he was neutral regarding the application. He operates a business in Windsor. He indicated there was a complete lack of access for kids on a bike. Will there be a bike lane in the roundabout? He had been president of the girls' softball league. There is a huge shortage of softball fields.

Dan Birrenkott discussed accessibility between the east and west. There is a sidewalk installed on Windsor Road.

Mr. Arnold had a question regarding the bike path on North Towne Road.

Chairperson Wipperfurth responded that they are working on options.

The public comment portion was closed.

Supervisor Buchner asked for a point of clarification of the densities regarding CARPC (Capital Area Regional Planning Commission) and urban service area.

Town Planner Rybarczyk explained that CARPC wanted four to six dwelling units per acre. Because of the Haswell property which will be denser, it will put the project at the proper density.

Supervisor Stravinski noted that Town Attorney Anderson brought up items 1.a. through d. on page 2 of the resolution. These are the key issues for the Town Board to decide. These are policy issues that the Town Board has to decide.

Town Planner Rybarczyk read the four policy issues and walked through the points.

Supervisor Smith commended the developer for their changes and commended the town staff for all the work they have put in on this.

Supervisor Stravinski stated that the trail system would be a bonus for the town.

A motion was made by Supervisor Buchner, seconded by Supervisor Smith, to recommend approval of Resolution 2014-51 Conditionally Approving The Preliminary Plat Of Bear Tree Farms Dated September 9, 2014 And Proposed Rezoning By Dane County From A-1 Ex, A-2 And A-3 To R-2, R-4, B-1, CO-1 And RE-1 All Located In The Town Of Windsor as amended at the September 18 Town Board meeting and including the memo dated September 17, with a delayed effective date of October 1 to allow confirmation of final documents at the October 2 Town Board meeting. Motion carried with a 5-0 vote.

Chairperson Wipperfurth thanked the applicant and staff for their work with almost daily changes.

13. Resolution 2014-59 Yahara Materials Requests Consideration Of A Conditional Use Permit In Order To Operate A Quarry Located West Of County Highway C, Between Vinburn Road And Windsor Road, 7001 County Highway C; Owned By Steven And Maureen Hoffman.

Chairperson Wipperfurth explained the process. This is in the Sun Prairie extra-territorial zoning area. The process starts with the Windsor Plan Commission. The Plan Commission has reviewed the proposal and approved it. One of the conditions was that there be a letter of no objection from the Token Creek Conservancy Committee. The Conservancy Committee met and issued a letter opposing the project unless there is a letter that will come back and bring other information. This is not the official public hearing on this application. That will be held by the Sun Prairie Extra-Territorial Zoning Committee on October 15 at 6:00 p.m. If it gets out of that committee, the final say is with the Sun Prairie City Council. The Town Board may or may not take action on this matter at the meeting, depending on what it hears and what are the next best steps.

Chairperson Wipperfurth thanked everyone for coming to the meeting and asked audience members to sign in. Comments will be limited to three minutes or less. He also asked that the speakers try not to repeat comments by prior speakers. He wanted everyone to understand that the Town Board has to base its decision on facts.

There will be a staff presentation, followed by a presentation by the applicant. Discussion will then go to public comment. Chairperson Wipperfurth asked that audience members hold all questions until the presentations are completed.

Town Planner Rybarczyk showed the area of land involved in the application. The applicant will lease 84 acres of land from Stephen and Maureen Hoffman. The area contains high-quality aggregate, which will be used in concrete and asphalt. The quarry will be worked one phase at a time. When the first phase is being reclaimed, the second phase will be in use, with the third phase in agriculture. The limestone deposits are 60 to 70 feet deep. Mineral extraction activities shall be located no closer than 300 feet from any property line or 500 feet from any residential structure. There will be berms to shield the project. Windsor requires a 4:1 slope. There will be no concrete batching or asphalt plant; only limestone will be removed. They are looking at a conditional use permit for a 25-year time period. Windsor grants CUPs for eight years, and there are annual reviews. The applicant is allowed renewals in five-year increments.

Town Engineer Richardson's comments indicated that there will be no appreciable degradation of service at the intersections along CTH C due to traffic generated by the proposed limestone quarry. Storm water will be treated in sediment ponds before entering a drainage ditch west of the limestone quarry. The goal of the Reclamation Plan is to infiltrate storm water after the limestone quarry ceases extraction. The sandstone aquifer will be left in place on the floor of the limestone quarry. Petitioner submitted a Spill Prevention Plan and Emergency Response Policy indicating that there will not be large quantities of hazardous materials as part of the proposed limestone quarry operation.

Town Planner Rybarczyk indicated that the Plan Commission did approve its Resolution, subject to 20 conditions, with subsets to several of the conditions. He read through all 20 conditions.

Town Attorney Anderson indicated there are sections in the town's Comprehensive Plan that address policies related to agricultural property and agricultural enterprise areas. This is being reviewed in that context as well.

Tim Geoghegan, representing Yahara Materials, gave a PowerPoint presentation.

Yahara Materials is a family-owned operation that was started by Raemisch in 1955 and was purchased by the Burcalows in the 1970s. It provides local jobs and has a long-term commitment to the area. Quarry operators average \$44 per hour, including benefits. White sheet employees average \$57 per hour, including benefits. Yahara Materials has a commitment to being responsible, reclamation, the environment, and the community.

Mr. Geoghegan provided a project overview. Yahara Materials has leased the Hoffman property since 1999. This is primarily agricultural crop land. The land will maintain its current use when not in an active phase. This area contains some of the highest-quality aggregate in Dane County. Aggregate from this area will be used in Windsor, Sun Prairie, Madison, and DeForest.

According to the DNR there will be no negative impact on water quality. Truck traffic will be on Class A County Trunk C, so there will be no impact to town roads. There will be no adverse effects to traffic now and in the future. Plans are being formulated for improvements to County Highway C.

The quarry site will be 84 acres, with three phases over the next 25 years. This will be a state-of-the-art operation and reclamation plan. Blasting is accomplished through the use of a computer. If technology improves, Yahara Materials will use that technology. Hours of operation would be Monday through Friday from 7:00 a.m. to 6:00 p.m. No operations shall occur on Saturdays, Sundays, and legal holidays. Blasting will occur between 8:00 a.m. and 2:00 p.m.

A market study on real estate values has shown little to no impact on adjacent property owners. Yahara Materials' largest site is in the town of Springfield. A home adjacent to the quarry was listed on the market and sold for \$594,900. It was on the market for only five days. Mr. Geoghegan explained that Yahara Materials will guarantee property values for adjoining property owners. One property owner has already agreed to this guarantee.

Spray bars will be used during the crushing process. The full length of the access road off of Highway C will be asphalt paved. Every load leaving the quarry will be required to be tarped.

Water is not discharged during operations. The land will be reclaimed as a new site is opened. They expect to start in 2015. Wells will be tested to establish a baseline. Madison Metropolitan Sewerage District treats approximately 42,000,000 gallons of water a day and discharges 39.2 million gallons per day into the Badfish Creek headed for the Gulf of Mexico. Madison

municipal wells average 55 million gallons per day. The proposed quarry site well will average 500,000 to 600,000 per year. There will be use of a rain garden. Water will be recharged back into the aquifer. There will be annual well testing within one-half mile of the site. Reclamation creates recharge.

Blasting will be computer-controlled. There will be a pre-blast survey, with 24-hour advance notice by either e-mail or phone call. Seismographs will be placed at multiple locations. Blasting will be limited to between 8:00 a.m. and 2:00 p.m. The latest technology will be used (computer-controlled caps).

Topsoil will be retained onsite. There will be storm water management and erosion control. Final grading and seeding will include a minimum of 6 inches of topsoil. Berms will be constructed to contain the project. These berms will be extended as the phasing progresses.

This is the best site available. There are substantial deposits of high-grade limestone. There will be safe and efficient transportation of the materials, and local demand is high.

This is also a unique approach to pond recharge for the Token Creek Watershed. It will reduce downstream erosion and recharge the Token Creek springs. Thermal impact will be significantly reduced, and aggregate wash-water will be recycled.

Chairperson Wipperfurth stated that the town has received some written correspondence. He will read into the record who the correspondence is from and the intent of the correspondence. Paraphrasing the correspondence from the Token Creek Conservancy Committee, when they met it was their conclusion that the applicant had not established proof that the quarry operation will not negatively affect the Token Creek Conservancy and Watershed and recommended that the Town Board deny the application. They indicated the storm water ponds should be sized for the 100-year storm water/flood event. Nearby wells should be monitored with a baseline reading being established. Ag and land use should be reviewed by the Town Board for future farming activities. It should be established if there is a relationship or connection to the activity proposed at the quarry and the infiltration ponds and the Token Creek Conservancy, with the goal being to determine if there will be an effect on the ground water pattern and water infiltration that may or may not impact the springs, including water flow, pollution, and other disturbing activity that may be detrimental to the springs.

Chairperson Wipperfurth noted that a flyer had been distributed to a number of people titled “Stop The Quarry.” If one is going to distribute information, please put your name on it.

Alan and Diane Harvey submitted two letters asking that the Town Board not approve the quarry.

A four-page document titled “Proposed Yahara Materials Quarry” was unsigned; however, it is believed that the author is Jim Brandmeier. He opposes the quarry.

Dean Dopkins submitted a letter indicating he was unable to attend the meeting. He opposed the quarry.

Bill Jewitt opposed the quarry and indicated he hoped to attend the meeting but wanted to register as opposed.

Dennis Ward indicated he may be at the meeting, but he wants to go on record that he is opposed to the request.

Chairperson Wipperfurth opened up the meeting to public comment. He asked Supervisor Madelung to be the timekeeper. Each speaker has a maximum of three minutes to speak. There were 60 people who signed up. He asked that the speakers stand up and speak loudly.

- John Glowacki, 3901 Sunnyvale Drive, opposed the application due to the potential impacts on our quality of life. Heavy truck traffic in a residential area is not a good idea. The air quality impacts would be devastating. Airborne silica exposures will be excessive and will not be monitored. Heck, air quality is not even properly monitored for frac sand mines. There is no requirement for industry to self-regulate. Groundwater quality: We are talking about the head waters of Token Creek. Token Creek is the foundation of the Madison lake system and his drinking water. Few evolved species will make waste where they sleep.
- James Kunz, 6765 County Road C, indicated as a Dane County foster home, they are concerned about the trauma this can cause foster children. To help understand trauma reactions, imagine touching a hot stove – you automatically pull your hand back, your brain does not wait for you to think about it. How imagine a child who may have a past of abuse – the ground shaking from dynamite may very well cause a trauma reaction of being shaken. This reaction varies from panic attacks to children running as fast as they can. For example, a local foster home had a child who saw boiling water on a stove – the child ran out of the home and it took several hours to find him. As an infant they had someone pour boiling water on them. Their brain said “run,” “be safe.” Sound can also be a factor – imagine a child who witnessed gun fire hearing a dynamite blast. On top of the trauma factor, the additional traffic is also a major concern with foster kids.
- Karen Jerg, 1178 Atcheson Avenue, Sun Prairie, had questions regarding the improvements to Highway C and the passing lane at the entrance that they are creating. Will there be any other improvements to Highway C?

Chairperson Wipperfurth responded that improvements will be made from Egge Road to Highway 19. Addressed will be sight-line distances and cutting down the hill on the south side of Egge Road. There will be turn lanes at Egge Road and Highway C.

Ms. Jerg indicated her concern with the highway speed limit. There are more bikers and walkers. Has consideration been given to bike lanes and bike paths? She is opposed to

the noise and blasting. Home values will go down. She is concerned about Highway C and water quality.

Chairperson Wipperfurth responded that over the last six months there have been meetings with Dane County, Sun Prairie, and the town of Burke on the Highway C reconstruction project which is scheduled to commence in 2017.

Ms. Jerg added that she agreed with James Kunz's comments. It will also set off animals.

- Dr. Aicardo Roa indicated he supported the application. He was the county engineer who approved storm water. He has worked with county-approved erosion control. Token Creek with no recharge is going to die. They helped pay for Token Creek and the reconstruction years ago. The impact of this quarry is beneficial to Token Creek. Token Creek is unique. It maintains a 50 degree water temperature year round. Nothing will be solved if the town denies the permit. Dr. Roa supported the permit. We have one of the best erosion controls. He again stated he supported the project.
- Kyle McLean, 6726 Winding Way Court, opposed the project. She opposed the noise and the trucks every three minutes. Will the roads have problems? Who will keep the roads up? How often will you be blasting? Is anyone going to be monitoring the air quality?

Tim Geoghegan of Yahara Materials responded that there is an air quality environmental plan approved by the DNR. That is what the water is used for. It is important for their employees to work in a dust-free environment. Typically they will blast three or four times when they come. In the course of a year, they may blast 15 or 20 times. The blast last for less than a second. County Highway C is a Dane County highway. The road use taxes they pay on their trucks is their road use contribution toward the roads. Dane County is using the traffic study prepared by Yahara Materials in its reconstruction of the highway. Regarding recharge, they will be trapping the water that is coming in and instead of letting it run everywhere they are proposing to capture that water and place it into the quarry and impound it to go back into the ground into the aquifer.

- Leo Schneider, 3729 Sunny Wood Drive, opposed the application. Living relatively close to this, he is very concerned about the noise and effect on property values and the truck traffic on Highway C.
- Kevin Smith, 3900 Aric Avenue, opposes the application, and did not wish to testify.
- Steve Pederson supported the application.
- Scott Witt, 6282 Devonshire Lane, Burke, opposed the application. He was concerned about several things. There are wells that are very close to each other. If there is a problem with one of them, there is a problem for him. He was also concerned about the fast traffic on Highway C.

- Carol Miller, 3745 Raintree Road, opposed the application and did not wish to testify.
- Heather Bartel, 6432 Irving Drive, opposed the application.
- Audrey Beasley, 6492 County Road C, opposed the application. There is too much noise and traffic on Highway C already. It would be highly dangerous. She opposed this quarry. On behalf of Dr. Gordon Merry, who could not attend the meeting, he is also opposed.
- Anthony Beasley, 6492 County Road C, opposed the application.
- Ken Marks, 6391 Grossepark Road, opposed the application. He questioned whether sufficient due diligence was done. How will a quarry benefit Windsor and its tax revenue? How will they investigate complaints. He was concerned the township could open itself up to lawsuits since previous to the adoption the standards were lower. He had questions of the planner regarding substantial violations. The planner does not know what the reclamation will look like. It is not consistent with the Comprehensive Plan. How will this benefit Windsor? Regarding the ad hoc committee, does Windsor have ad hoc committees for all businesses? He was also concerned about well water.

Town Planner Rybarczyk responded regarding violations. If the town and city of Sun Prairie pass this, there will be attached a series of conditions. The lengthy list totals 20 conditions with subsets to several of the items. If Yahara Materials was in violation of only one of these conditions, they could be shut down. The city of Sun Prairie and Windsor would have to agree. Windsor created its mineral extraction policy, and Sun Prairie then adopted it. Regarding consistency with the Comprehensive Plan, this area is identified as Ag Preservation, Farmland Preservation, and Ag Enterprise. The Comprehensive Plan is looking to preserve ag uses and businesses. As part of the land use section, the town has a mineral extraction use policy. From a planning staff standpoint, there is language in Windsor's Comprehensive Plan that makes mineral extraction within an agricultural area consistent. Under Ch. 91 of the Wisconsin Statutes, nonmetallic mining is an approved use.

Chairperson Wipperfurth added that there would be no property tax benefit for the town. While it can be a consideration, it does not have to be the sole reason.

- Bill Reis, 6564 Mill Race Trail, opposed the application. He and his wife are seriously opposed to the quarry. They do not want the noise, traffic, and disruption this activity would present.
- Brad Smith, 6357 Heatherstone Court, opposed the application. Do we have any idea as to how much traffic there will be on Highway C?

Tim Geoghegan responded that, yes, they did have an idea of the traffic. It is in their traffic study. They will be operating on a nine-month schedule. They have to do estimates. They use maximum days, 100,000 tons per year, and five trucks per hour entering and leaving the quarry. There will be days when there will be less and days when there will be more. The majority of the trucks will go south on to Highway 19.

- Jayme Anderson, 6400 Brandywood Trail, was neutral regarding the application and did not wish to testify.
- Mary and Ed Ritter, 6349 Cranberry Court, Sun Prairie, were opposed to the application and did not wish to testify.
- Travis J. Hunter, 4014 East Leonard Road, was neutral regarding the application. He indicated he wished to speak but apparently left the meeting early.
- Diane M. Rodefelf, 3098 Saddle Brook Trail, opposed the application. She recently moved from the southwest side of Madison near the Wingra Stone quarry. Her house received significant drywall damage from blasting. Her house was perpetually dirty and dusty. The traffic from the quarry was also a nightmare.
- Jeff and Laura Smith, 3910 Castleton Crossing, opposed the application and did not wish to testify.
- Ann and Frank Kick, 3886 Sunnywood Drive, were opposed to the application stating they purchased their property which they have owned for 28 years now is the quiet location. We object to the noise a quarry would create and the additional traffic. The roads in the area are going to require additional maintenance, also not happy with the decrease in the value of our property.
- Bonnie Nikl, 3778 Sunnywood Drive, opposed the application and did not wish to testify.
- Annette Vanour, 3865 Sunnywood Drive, opposed the application and did not wish to testify.
- Susan Sullivan 3747 Raintree Road, opposed the quarry. The environmental impact will be negative and significant. There will be minimal, if any, positives for town residents. She would like the Town Board to prioritize farmland preservation.
- Diane McFarlin, 3400 Happy Valley Road, opposed the application indicating her concerns with blasting/foundation; increased traffic with trucks coming downhill on Highway C (semi-blind hill); water table concerns; not well-thought-out contingency plans; property values; lack of communication from applicant currently, what will happen then; what precedent are we setting for the future?

- Mike Scarmon, 5950 Seminole Centre Court, #200, Madison, was neutral and indicated he could speak regarding traffic engineering.
- Russell Henke, 1198 Atcheson Avenue, indicated he was neutral. He echoed the comments of Karen Jerg. He wanted to hear the presentation first, which was why he indicated he was neutral. Highway C is already in terrible shape. He would lean towards being opposed if the trucks start rolling in less than a year and they are two years away from reconstruction. How large are the trucks? He has already received a cracked windshield. How often would blasting occur? Daily, hourly, once a week? How loud will it be at his house? He understood it could be closed down in eight or nine years if it was not meeting conditions.

Town Planner Rybarczyk responded that the conditional use would be set for the first eight years. There will be annual reviews of the project. However, at any time if the town gets a complaint that they are in violation of one of the conditions of the CUP the town could stop it any time during the project to make sure they are in compliance.

Tim Geoghegan responded regarding noise. It will be 65 decibels at the property line of the Hoffman property. Where Mr. Henke lives he will not be able to hear any of the quarrying. The berm constructed will capture the noise. Blasting will occur approximately 15 times a year, with two to three blasts. Comparison-wise, 65 decibels is close to a conversation. Quad-axle dump trucks will be used. Tarping is important.

- Jean Schneider, 3919 Gray Road, opposed the application. This project does not benefit the community. It only costs the community. There is a high potential risk of groundwater contamination. There are unknown and possible detrimental effects to the Token Creek Conservancy. There are traffic concerns. It is dangerous at Happy Valley already.
- Andrew Disch, 3936 Seminole Centre Court, Madison, supported the application. He works for the Madison Area Builders Association. He is asking for approval. This will provide high-quality and available materials for the building community. There is a possible Parade of Homes site in Windsor. This would stimulate the local economy. Property values increase in a Parade neighborhood. Regarding traffic, the state demographic study estimates that between 2010 and 2013 this area will gain 100,000 people. Not approving the Yahara Materials' project will not remove the trucks from the roads, but they will come from further distances, increasing pollution and will be driven by operators that are not known by Yahara Materials.
- Larry Seitz, 6436 Brandywood Trail, opposed the application.
- Sue and James Kunz, 6765 County Road C, opposed the application. Their question was regarding the conditional use permit. If the quarry is approved, who will "police" it if the rules and conditions are not being followed? A conditional permit was given to a nearby business yet it is not being followed, and no one is enforcing it. Permits are being given

but what is the point if they are not enforcing the companies to abide by them? Once approved – seems like if things are not being followed, public is “out of luck.”

Chairperson Wipperfurth responded that it would be the city of Sun Prairie and town of Windsor’s responsibility to do the enforcement. Any CUP can be revoked at any time if the conditions are not being met.

- Jordan Hipsher, 6611 Portage Road, opposed the application. He just moved here from Cleveland, Ohio, and bought his house in Windsor. He wanted a quiet house and to build a business in the town. He is disappointed about the new development. He would not have moved here if he had been aware of this. Mr. Hipsher also mentioned corruption in government.

Chairperson Wipperfurth responded that there was no corruption in this government. As far as a developer coming in, most communities do not stand still. There is always something going on. There are a lot of moving pieces in any community.

- Holly Anderson, 6626 Mill Race Trail, opposed the application. She was opposed to a quarry at this site because of the long-term effect on the watershed supporting Token Creek, effect on springs and pollution danger. As a homeowner in the area, she is also concerned about the aquifer depletion as it may impact private wells. She is opposed to an increase in truck traffic on local roads and safety impacts.
- Rod Schneider, 6793 County Road C, opposed the application. Nothing good has changed since the last time the applicant came before the town. The town has one operating quarry in the neighborhood. It can use that site instead of this site. There is rock left in the Schwenn quarry. It is rock that has been exposed and has not been used. They are proposing to remove farmland instead. There are unknown consequences in the traffic. The 84 acres will never be 84 acres again. Chemicals and manure will enter the water. This is not far from Windsor Road. There is no benefit to the town. A lot of aggregate is being recycled. They use the old road they tore up. He felt that \$1 million in insurance was light for this day and age. This should be denied or tabled until all questions can be answered.
- Luana Schneider, 6793 County Road C, opposed the application and submitted the following:

We are one of the residences on County Road C that are within 500 feet of the proposed quarry.

In July we sat in on 4 meetings here in regard to the possibility of becoming a village because many believed Windsor should be its own entity and protect itself from being absorbed by surrounding entities. The statement continually heard at this meeting was how beautiful this area is with all its exclusive ag and how this would draw folks to this unique community to build/buy homes in the non-exclusive ag area with the realization

that this area this area would continue to be such a beautiful, peaceful area to live. Now here we are in September discussing marring that peace and beauty and going against the intent of the Comprehensive Plan.

How is an industrial usage (which this large of a quarry definitely would be considered) be allowed in exclusive agriculture AND in the Token Creek Watershed.

I am hoping the concerns & requests of both the Planning Commission AND the Token Creek Conservancy Committee will be addressed!!

How much acreage is actually out of production including berms, etc. -- much more than the almost 85 acres of actual quarry.

How much of this acreage will actually be agriculture acreage in reclamation? -- not anywhere close to what will be taken out of production.

It states in the Market Study that "truck traffic will range from a low of 60 to a high of 206 loads per day with an average of 140 loads per day". I figure if ten hour days that would be an average of 14 loads per hour and doubling due to returning empty trucks would be 28 dump trucks per hour. Meaning approximately one dump truck per two minutes with half of those being full trucks and half empty. This is of particular concern for us with the site/distance with the hill to the north of us.

In talking to Pam Dunphy, Dane County Highway and Transportation Deputy I was told that no further improvements except for Yahara Materials' ingress & egress is planned for County Road C North of Egge Road.

Board voted against the essentially same quarry in 2005 -- what makes it justifiable now?

In the proposal it states a \$1,000,000 liability insurance and yet on the Brunner Quarry CUP #1881 of 2004 a \$2,000,000 liability insurance was required. How come on a much larger potential quarry and 10 years later why a lower liability insurance policy required? Shouldn't that be at least \$2,000,000? And being this many years later maybe that should even be higher than \$2,000,000.

If this CUP was to go through there should be a provision added in the resolution that a Property Value Agreement be made available by Yahara Materials for all Homeowner residences with 1000 feet of the quarry. This has been offered to us and we intend to do.

What does Windsor gain from this -- nothing but headaches. If this CUP goes through maybe a provision of receiving an annual certain amount of gravel for road improvements should be included in the resolution? Check on arrangement made with Arlington by Yahara Materials.

A CUP is not an inalienable right, a CUP is an entitlement made available with provisions.

We personally are concerned with dust, noise, majorly increased traffic, our water quality, our old well and house foundation, property values and quality of life.

Finally, remember, you cannot unring a bell!

Enforcement – who is going to actually be able to do this? Does this set precedent for other quarry applications or even other types of applications.

- Deanne Symbolik, 3703 Meadowbrooke Circle, opposed the application whole heartedly. There are many objections I have to this quarry. Several include traffic on Highway C (a road already in need of repair), noise pollution, blasting, crushing, effect on watershed and conservancy, loss of enjoyment of own property. This request was denied several years ago. It would not benefit the town or its residents with the exception of one landowner.
- Lori Kalhagen, 3747 Meadowbrooke Circle, opposed the application stating she is concerned with traffic increase on County C and maintenance of that road by the county. She questioned the effect on water aquifer and effect to Token Creek Conservancy.
- Brad Miller, 3721 Sunnywood Drive, opposed the application. He has heard a lot of discussion, most of it opposing. He opposes it. The town should look at what is being brought to the table. What does this bring to the table for us? The ones to benefit are Yahara Materials, the landowner, and the Builders Association – not the community. Why would we do that? The project should exceed the requirements because it is near residences.
- Greg Goetsch, 6858 Wollington Road, opposed the application and did not wish to testify.
- James Kessenich, 6611 Prairie Hill Drive, opposed the application and did not wish to testify.
- Robert Paske, 6600 Prairie Hill Drive, opposed the application and did not wish to testify.
- David Roscoe, 6601 Prairie Hill Drive, opposed the application and did not wish to testify.
- Jason Arnold, 6867 County Highway C, opposed the application. He is one of the directly affected landowners. He felt Tim Geoghagen answered a lot of questions that were asked at the first meeting. Is there a line established for grievances? He had a question as far as the annual inspection. He felt the value guarantee was a good idea. He thought there needed to be reasonable consideration for road noise and vibration. He is

remodeling an old cheese factory. Will their well affect the surrounding wells? The berm will not retain water. Should it be donated to the park as a wetland?

Chairperson Wipperfurth added that there would be an ad hoc committee composed of a member from the Town Board, Plan Commission, Yahara Materials, the town staff, and two members living adjacent to the site.

Tim Geoghegan stated to Mr. Arnold that, once he completes his remodeling, they will come and look at it. Regarding noise, the trucks all have muffler systems. They keep them running as quietly as possible. They have never had an issue from vibration. The well they will use will not have any effect on the surrounding wells. It will not be used every day. It will not be like a municipal well.

- Donna Yngsdahl, 6909 County C, opposes the application and does not wish to testify.
- Jim Brandmeier, 6416 Brandywood Trail, opposed the application and does not wish to testify.
- Paula Brandmeier, 6416 Brandywood Trail, opposed the application. As part of the approval of this CUP, they have to abide by the Mineral Extraction Policy. Do the benefits outweigh or are adverse to the community. There will be complaints. If revoked, the reclamation will end. Water reclaiming will not take place until 25 years. There will be a big hole in the ground. It will have an adverse effect on the watershed. She did a study on assessed house values by the Buckeye quarry. It would be nice to have a Parade of Homes in the neighborhood. They want a quarry because of a lot of potential building.
- Marvin Yngsdahl, 6909 County C, opposed the application. There is a steep hill. It is 435 feet to the top of the hill. It takes a gravel truck 600 feet to stop and that does not consider the reaction of the driver. County C is not constructed as a Class A highway. Mr. Yngsdahl brought up radon. It is the third leading cause of cancer. All houses should be tested for radon. He contacted Jessica Maloney from the Governor's office and she will be sending him information regarding radon. He will provide that information to Chairperson Wipperfurth.
- Jane Skalitzky, 3743 Raintree Road, opposed the application and did not wish to testify.
- Joe Skalitzky, 3743 Raintree Road, opposed the application and did not wish to testify.
- Chris Kromm, 6117 Highway K, Waunakee, supported the application.
- James Meicher, 6664 Portage Road, opposed the application and did not wish to testify.
- Kay Hoffman, 7001 County Road C, supported the application. It is allowed through Farmland Preservation and is the landowner's right.

- Tim Geoghegan, 6117 Highway K, Waunakee, supported the application.
- Renee Burcalow, 6117 Highway K, Waunakee, supported the application.
- Margaret Graves, 3759 Misty Lane, DeForest, opposed the application. Who/how will road repairs be dealt with? These roads are not built to accommodate large gravel trucks. What is going to be done when homeowner wells go bad as has happened in Fond du Lac, Wisconsin?
- Mike Lawton, One South Pinckney Street, Madison, supported the application. He asked Town Attorney Anderson to modify two of the conditions on two technical changes, one dealing with transfers and one dealing with noise.
- Jerry Tierney, 5810 Highway Q, Waunakee, supported the application. He grew up in Windsor. Aggregate is interesting. No matter how you feel about it, one cannot escape it. It is in roads, buildings. Roads need to be rebuilt. New houses need to be built. When the town roads were built, they were built very poorly. There is hauling of manure and feed on the roads. There is a high-quality aggregate right here that will be used to rebuild the roads. There are a lot of benefits to the town. Just stop and think about it. We need aggregate.
- Don Tierney, 3813 Windsor Road, supported the application. He received a call from a gentleman in Bristol Gardens. He had something put in his mailbox – one sided. It was going to destroy everything he has. There is not another person in the room that has more on the line if this goes bad. He paid \$10.5 million for the residential lands. The first thing he built was a beautiful park. Just south of his project he basically owns everything. He has everything to lose. He is not excited because nothing will happen. If the quarry was put in, 99 percent of the people would not even know that it was there. We should give these people a chance. He can show you how water is cooled.
- Thomas V. Jackson, 3180 Happy Valley Road, opposed the application and did not wish to testify.

Board discussion began at 8:35 p.m.

Supervisor Smith stated that she highly respected everyone's opinions. She was going to agree to disagree. She was impressed by all of the different opinions. She gave her feelings for the reasons why she is not in favor of the quarry. She has been to a quarry and seen a blast. One of her concerns is about ag preservation. The goal in the Comprehensive Plan is to maintain and protect the town of Windsor's agricultural base. She wants to keep that 85 acres in agriculture. Supervisor Smith indicated she did not agree with the reclamation plan. She would vote against it.

Supervisor Madelung stated he wanted to listen to both sides. Reclamation is high on his list even though it is 25 years out. He did want to check on radon. He asked Mr. Geoghegan if anyone has signed a value guarantee. Mr. Geoghegan responded one homeowner did accept.

The blast is not loud. Supervisor Madelung has never seen the number of components the town has added to the list to protect the town. He is a real advocate for farmers. Crops are good this year, but prices are crashing. The town has a responsibility. If he votes for it, it will have to have a lot of hard-core stipulations. The aquifer is very important. The rain garden concept can be done.

Supervisor Buchner thanked everyone for their participation. This is a hyper-sensitive issue. The Board hears and listens to everything said. Both sides of the argument have been discussed. Highway C runs from Rio to Sun Prairie. Whether that traffic originated in Terrace Park, Bristol, or Sun Prairie, that traffic will be there. The traffic issue doesn't hold water. Traffic should be looked at before 2017. Regarding tax base, there is little tax base. Information has not shown anything up or down on how much tax base will be produced. All precious metals are harvested the same way: granite counters, marble floors, gold, silver bracelets, diamonds. This will not be the same. The one to lose would be Mr. Tierney. Culver Springs would be in danger over time if nothing is done. In the 25 years when infiltration begins, it will enhance the site.

Tim Geoghegan added that people from the USGS all claim that, unless we start infiltration north of Madison, we will start losing the springs. We have to do something for the future or the streams will disappear.

Supervisor Stravinski stated that the Conditional Use Permit is supposed to minimize the negative use effects to adjoining and surrounding landowners. The traffic issue will have a negative impact. Can we lessen it through the CUP? He didn't know. The traffic is a problem.

He also felt that property value is a problem. Mr. Geoghegan is offering an answer for those property values. He does not think there will be any negative effect on the Token Creek Watershed. He thought that in 25 years it will have a positive effect. We would have to have the DNR and Dane County Land Conservation make the decision on how much land will be put into it. He did have a concern. As stated in the Comprehensive Plan, Agricultural, Natural and Cultural Resource Goals, Objectives and Policies, when reviewing zoning or land division proposals in the agricultural district, the Town Board may authorize limited non-agricultural commercial activities that meet applicable regulations pertaining to home occupations/professional home office, or, in the case of such commercial activities utilizing outbuildings, such commercial activities shall be low profile in nature, be operated by the owner of the premises, employ no more than one full-time equivalent non-resident employee, produce no excessive traffic, noise or light, be compatible with the agricultural setting of the area, and be a commercial activity that would not be better suited to be maintained in a traditional commercial setting or business park, and would not normally benefit from urban service, such as municipal water or sewer.

When reviewing zoning or land division proposals in the agricultural district, the Town Board may authorize compatible uses promoting agricultural diversification, such as those related to value added agriculture primarily utilizing produce produced on site and not requiring urban services. This can include small scale commercial activities that are compatible with agricultural uses, such as the commercial activities described above.

He could see the gravel pit as a commercial activity but does not see it as a small-scale activity. Whether this is a valid reason or a legal reason, he has problems with this. He thought the most important thing Windsor is doing in the next year is incorporation. He does not want this to have a negative effect on the town's incorporation process. He did not know whether it would or would not. He did not want to take a chance.

If that were to happen in the future, he thought that Highway C is not sufficient for truck traffic. If the improvements are done to Highway C, it could be. He has mixed feelings. He did not think it would have a negative effect on the Token Creek springs. There are several other negative issues, and he did not think those issues could be overcome.

Chairperson Wipperfurth said the Town Board has not made the decision to pursue incorporation. No decisions have been made. This is one of those issues that come along from time to time that bring out a roomful of people. There are never easy answers. He could see the quarry co-existing with neighbors if safeguards were put in place. This will not be detrimental to the Token Creek Conservancy. He was concerned about how it would be in the end. How many acres would be tillable? He would like to see a 3-D model. The amount of escrow would need to be evaluated as well as the radon issue. Benefits to the town would have to be balanced. In the CUP is there a benefit to the town? How do we identify that? Benefits are subjective. Long story short, Chairperson Wipperfurth thought the Town Board needed to table this and go back and study it some more. As part of due diligence, the town needs to look at this a little bit further. The Town Board has heard a lot of comments. Some he agrees with; some he doesn't. Chairperson Wipperfurth recommended holding this in abeyance and allowing staff to go back and identify and research some of the items. This would be on a future Board agenda. He did not want a decision based on emotion. This needs to be analyzed further, with no timeline put on it. He would offer to the public what when the Town Board has this on the agenda, to the extent possible, try to identify that it will be Board discussion to have the Board spend some time with this. When the Town Board is ready to vote on this, it can be so identified on the agenda. The public has some homework to keep watching the agenda.

Supervisor Buchner concurred. The Town Board needs to do a little more fact-finding.

A motion was made by Supervisor Buchner, seconded by Supervisor Madelung, to hold this in abeyance or table it.

Supervisor Stravinski asked when the CUP permit application is sent to the town whether there is any time limit that the Town Board needs to worry about that would expire.

Town Attorney Anderson offered that the Town Board should table this until the October 2 meeting to address the timeline and Sun Prairie's meeting on October 15. The town can provide a schedule if Sun Prairie wants to hold its meeting.

The motion maker and second concurred.

Chairperson Wipperfurth did not view the Town Board taking any action on October 2. No action will be taken.

Town Attorney Anderson will provide feedback to Town Board members as to timing.

Motion carried with a 5-0 vote.

14. Dane County Floodplain Ordinance Amendment.

Town Planner Rybarczyk indicated these are the flood plain insurance maps put together by FEMA which identify areas in Windsor susceptible to a 100-year flood event. This is broken down into panels and flood areas. The flood areas follow the Yahara River and the Token Creek Watershed. Dane County has gone through Ch. 17 and has amended its maps. As development happens, the map impacts on the area that can be developed. This has been adopted by Dane County. As of August 27, it is the new ordinance and law in place.

Town Attorney Anderson stated regarding insurance for homes, this is a horrible process and horribly expensive. It is very cumbersome when the maps have an impact on some homeowners.

Chairperson Wipperfurth added that there is some land in Windsor that is affected, but there is nothing the town can do.

Don Tierney suggested that the town contact its engineers and surveying people and have them take a look at this.

Chairperson Wipperfurth added that Mr. Tierney's comments are valid, and he asked that this be forwarded on to Paulson and Birrenkott.

15. Approval Of Dane County Zoning Ordinance/Petition No. 10712 (Petitioner: James G. Belda).

This is reconfirmation of prior action. A motion was made by Supervisor Stravinski, seconded by Supervisor Smith, to approve Dane County Board of Supervisors, Amending Chapter 10 of the Dane County Code of Ordinances, Zoning Map Amendment Petition 10712. Motion carried with a 5-0 vote.

16. Consider Updating The Analysis Of The Fiscal Effects Of Merging The Town Of Windsor And Village Of DeForest Into A Consolidated Municipality.

Finance Director/Deputy Clerk Tina Butteris explained. Based on the joint meeting, the village took the initiative to speak with Baker Tilley (Virchow, Krause) who made the study the first time around and asked them to provide an estimate of what it would be to update a portion of the study. There are a lot of things that it would not look at including service levels, operating expenses, intergovernmental revenues. She felt the things that are excluded are the things the town would need. The cost would be \$13,000 to \$16,000.

Chairperson Wipperfurth suggested holding this and putting it on the next Tuesday meeting agenda. This would be split between Windsor and DeForest.

Supervisor Stravinski would like to look at a snapshot of today in the village of DeForest and the town of Windsor.

Supervisor Madelung asked whether there still was a wide gap in the mill rates.

Chairperson Wipperfurth suggested that the Town Board members put their comments together and get them to the Finance Director/Deputy Clerk Tina Butteris. She will collect the comments on September 22 and talk with DeForest (Steve Fahlgren) and discuss what the scope is and what we are really looking for.

Chairperson Wipperfurth suggested not taking any action and waiting until September 23. He asked that the Town Board members let Finance Director/Deputy Clerk Tina Butteris know what they want in the study.

A motion was made by Supervisor Smith, seconded by Supervisor Madelung, to put this in abeyance until the September 23 budget meeting and put it on the agenda. Motion carried with a 5-0 vote.

17. Resolution 2014-61 DMB Safe Deposit Box Authorized Signers.

Finance Director/Deputy Clerk Tina Butteris advised that this is a technicality. The Community Center has had a change in staff and has to change the safe deposit box signature card. The bank requires a resolution so they can change the signature card.

A motion was made by Supervisor Smith, seconded by Supervisor Madelung, to approve Resolution 2014-61, DMB Safe Deposit Box Authorized Signers. Motion carried with a 5-0 vote.

18. Ordinance 2014-08 Renaming Of Grinde Road/Windsor Way/Old County Highway V (East) To Snowy Owl Court.

Chairperson Wipperfurth explained that old County Highway V was renamed to Windsor Way. The town only recently found out that the county would not approve this. There were too many Windsor roads in Dane County. Dane County renamed it Grinde Road. The property owners are frustrated because they want to know the name of the street and they want to maintain their numbers. Town Clerk Christine Capstran came up with the name Snowy Owl Court. Dane County was hesitant because there was something similar in Madison. A motion was made by Supervisor Smith, seconded by Supervisor Stravinski, to approve Ordinance No. 2014-08, Renaming A Town Road: Grinde Road/Windsor Way/Old County Highway V (East of USH 51) To Snowy Owl Court. Motion carried with a 5-0 vote.

19. Joint Room Tax Commission Agreement And Room Tax Ordinance.

Chairperson Wipperfurth explained this is a follow up from the town's meeting with the village of DeForest and town of Burke. This explains what the original agreement called for. On Monday, September 17, there was a Joint Room Tax Commission meeting that authorized \$5,000 to be given to Farm Technology Days to help sponsor the mobility carts. They also gave either \$27,000 or \$34,000 to the BMX track. No action is needed. This is just for the Town Board's information.

Supervisor Buchner continues to be very disappointed. They are being extremely short-sighted.

Supervisor Stravinski indicated it could be positive that, if it is only two of us, the name could be changed to the Windsor-DeForest or DeForest-Windsor Room Tax Commission. If anyone came back, the name would have to change. The Room Tax Commission pays \$2,500 every three months for office space. If we do not want to continue that rental, we have to notify the Chamber by October 1.

Supervisor Stravinski suggested there was a quorum issue.

Vienna may be willing to come back into the fold if there are pure business people on the board.

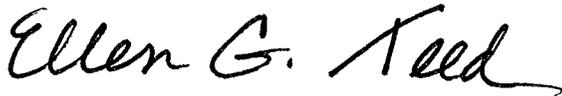
The Tourism Commission gives the Chamber \$10,000 a year for rent.

Town Attorney Anderson indicated the quorum problem may be resolved through Section 7.

20. Adjournment.

At 9:50 p.m. a motion was made by Supervisor Smith, seconded by Supervisor Madelung, to adjourn the meeting. Motion carried with a 5-0 vote.

Respectfully submitted,

A handwritten signature in black ink that reads "Ellen G. Teed". The signature is written in a cursive style with a long, sweeping tail on the letter "d".

Ellen G. Teed  
Recording Secretary