

**REGULAR TOWN BOARD MEETING
WEDNESDAY, AUGUST 9, 2023
MINUTES**

Town Board Attending: Chris Narveson (Chair), Jim Hoesly, Matt Streiff, Robert Elkins, and Troy Pauli

Board Members Absent: None

Also Attending: John Wright: Clerk-Treasurer; Corey Pope (departed at 6:49 PM): developer; Tim Schleeper (virtually): Vierbicher Associates planner; Randall Shotliff: developer; Bob Talarczyk: surveyor for Randall Shotliff; Alexis Harris (departed at 8:08 PM): Village of New Glarus resident; Mark Pernitz, Jerry Benson (departed at 8:08 PM), Stacey Kacek (virtually, departed at 7:59 PM), and Bill and/or Mary Anne Oemichen (virtually, departed at 8:50 PM): Town of New Glarus residents; and Mark Brown (virtually; departed at 7:04 PM): President of Associated Appraisal Consultants

1. **Call to Order** – Chair Narveson called the meeting to order at 6:46 PM.
2. **Confirm Proof of Posting** – Clerk-Treasurer Wright attested to the proper proof of posting.
3. **Approve Minutes from July 12, 2023**
Motion to approve the July 12, 2023 Town Board meeting minutes, as presented, was made by Supervisor Streiff; seconded by Supervisor Pauli. Motion carried 5-0.
4. **Public Comments** – No public comments.
5. **Discuss and Possibly Approve a 3-Lot Land Division of Lot 2 of Certified Survey Map (CSM) 4403 by CSM, for Residential Use Proposed by Corey Pope, Located along Hustad Valley Road** – It was noted that changes proposed by the Plan Commission had been incorporated into the updated version of the draft Certified Survey Map. The Clerk-Treasurer will need a recorded copy for Town records.
Motion to approve the draft Certified Survey Map for a 3-lot cluster division of land located on Hustad Valley Road, was made by Supervisor Hoesly; seconded by Supervisor Streiff. Motion carried 5-0.
6. **Discuss and Possibly Approve a 1-Lot Division of Parcel 23024 0122.0000 by Certified Survey Map as Proposed by Randall Shotliff, Located at W6177 State Highway 39** – Chair Narveson briefly summarized the comments made during the public hearing: there was opposition to connecting State Highway 39 to Legler Valley Road via Ashley Lane; concerns were voiced about possible erosion south and west of the Bug Tussel Wireless Tower and that development of this proposed lot might exacerbate stormwater and erosion issues, a possible increase to noise pollution, that another location might be better suited for the proposed use, and vehicular traffic safety at the proposed access point on STH 39.

Developer Shotliff acknowledged that there is a gully in the woods to the southwest of the tower, but does not believe the tower or its current access has changed the predevelopment runoff. There followed a brief discussion of passive stormwater and erosion control measures that included planting more native grass species to slow stormwater and allow better infiltration. It was noted that the Town of New Glarus and Village of New Glarus had discussed the possibility of locating a joint public works facility or joint public works campus in other locations, including the depleted quarry owned by the Village on County Road W. That site is slated to be the location for a water tower, so cannot be considered.

Jerry Benson, a Town resident who owns the parcel immediately to the east of the proposed lot, is not opposed to shared access through his property. A recent aerial image of the location was viewed by those in attendance in order to visualize an alternate access point on STH 39. The location proposed on the draft Certified Survey Map (CSM), the location of the current access used by Bug Tussel Wireless, and the access to the Benson property were viewed and the pros and cons discussed if they were consolidated.

Tim Schleeper, Vierbicher, noted that the proposed CSM has a gap of 167' between Ashley Lane and the private road proposed by Green County; although there is no current plan to connect with Ashley Lane, he recommends that the current alignment remain on the CSM so that a connection could be considered at a future date. Schleeper further noted that the Town could request a review by Green County of the proposed site, possibly to include a site plan, and the development impacts upon stormwater and erosion control. Schleeper suggested, if this site is selected, the use of a bioretention basin to manage stormwater. Schleeper stated that the vision parameters are better at the access location shown on the proposed CSM rather than consolidating access points further to the east. He further noted that the Benson lot is within the Village of New Glarus extraterritorial zoning jurisdiction, which could add a layer of complexity to the project.

There followed a brief discussion of the implications of consolidating access and future residential lots that may be developed at some point in the future by Mr. Shotliff. It was noted that when residential density reaches the fifth lot, the access must be built to Town road standards, but the Town does not have to accept dedication to the public.

Motion to approve the draft Certified Survey Map for a single lot, on the condition that the consolidation of common access to State Highway 39 with the adjoining property owner to the east be explored further and a site plan of development to the west includes a review option for the Town of New Glarus Board in order to share comments with the Green County Land Committee, was made by Supervisor Streiff; seconded by Supervisor Pauli. Motion carried 4-1.

7. **Amend the 2023 Budget by Resolution** – Clerk-Treasurer Wright reported that he continued to work with Tara Bast of Johnson Block to make journal entries to reflect property tax collection for 2022 taxes collected for the 2023 budget, Town contributions to employee benefits, etc. Wright presented Impact fees collected through June of 2023 with the account balance updated through July 31, 2023. It is likely that money collected for a highway transportation facility and joint projects with the Village that was collected more than seven years ago, will need to be refunded, with interest, to the current owners of the qualifying properties. It is unclear whether the \$20,000 Town contribution towards the improvement to the Glarner Park baseball field in the Village on July 1, 2021 should have come, in part, from the joint project impact fee fund line. Without objection, this item will be deferred to the September agenda.
8. **Update on 2023 Road Maintenance** – Chair Narveson reported that Durapatch has been applied to the areas identified earlier this year. Ashley Lane and Dean Lane (alternate) have been chip sealed. A double chip seal of Kempfer Lane (south of CTH NN and north of the Bertelrud property line) is scheduled. Narveson stated the Town is awaiting a developer’s agreement from Alice Bertelrud as prepared by her attorney Rex Ewald about who will improve the southern portion of Kempfer Lane if further residential development is planned.
9. **Discuss and Possibly Approve Class “B” Temporary Malt Beverage License and Temporary Soda License for the Wilhelm Tell Community Guild for the Tell Play to be held on Saturday, September 2, 2023 and Sunday, September 3, 2023**
A motion to approve a Class “B” temporary malt beverage license and soda license for the Wilhelm Tell Play on September 2-3, 2023 to be held at the Wilhelm Tell grounds on County Highway W, as requested by the Wilhelm Tell Community Guild, was made by Supervisor Hoesly; seconded by Supervisor Elkins. Motion carried 5-0.
10. **Discuss and Possibly Approve a 3-Year Maintenance Assessment Contract with Associated Appraisal Consultants for 2024, 2025, and 2026** – Clerk-Treasurer Wright stated that he received a maintenance contract from Mark Brown of Associated Appraisal Consultants (AAC) for 2024-2026. Mark Brown, the President of AAC, had been connected to the meeting earlier by Zoom, but no longer was. Wright stated that the monthly maintenance fee would increase from \$625 to \$1,250. Wright was instructed to seek requests for proposals from other assessing firms. Without objection, a decision about the 2024-2026 assessment contract will be deferred until other proposals are received, if any.
11. **Discuss and Possibly Approve an Ordinance to Codify the Town of New Glarus Parks Commission as Prepared by Attorney Hazelbaker as Recommended by the Town of New Glarus Parks Commission** – Clerk-Treasurer Wright reported that the members of the Park Commission incorporated their corrections to formatting. Wright prepared the ordinance, proposed by Attorney Hazelbaker, in a format for possible adoption and enactment the day after publication, if approved.
A motion to approve Ordinance 2023-03 to codify the Town of New Glarus Park Commission, was made by Supervisor Hoesly; seconded by Supervisor Pauli. Motion carried 5-0.
Without objection, a notice of adoption will be posted in three physical locations, the Town website, the Town Facebook page, and a summary will be published within 30 days.
12. **Discuss and Possibly Refund a Driveway Escrow to Duane or Carolyn Sue Pope** – Clerk-Treasurer Wright reported that the couple who bought the property from the Popes in 2012 have also paid a driveway application fee and damage deposit. The Popes applied for the original permit in 2008 with the intent to build a storage shed. The current owners built a storage shed and are now in the process of building a residence. Wright is requesting the reimbursement to the Popes who no longer have an interest in parcel 23024 0042.0200 on Hustad Valley Road.

A motion to approve the refund of driveway damage escrow to Duane or Carolyn Sue Pope was made by Supervisor Elkins; seconded by Supervisor Pauli. Motion carried 5-0.

13. **Discussion and Possible Action for Durst Road Encroachment** – Chair Narveson stated the affected area to be about a yard square in size. He is requesting Vierbicher to draft the legal description and calculate the appropriate amount to compensate the property owner. Further, Attorney Hazelbaker will need to create the document to record the transaction.

A motion to approve a legal description of the property and appropriate award for damages (compensation) to be drafted by Vierbicher and for Attorney Hazelbaker to draft the document for the transaction, was made by Supervisor Pauli; seconded by Supervisor Streiff. Motion carried 5-0.

14. **Patrolman Report** – Chair Narveson reported that the patrolperson has been mowing road rights-of-way and spreading gravel along the shoulders of Klitzke Road.

15. **Clerk-Treasurer Report**

- a) Approval and payment of bills:

Motion to approve checks 21219 through 21238, deposits, and ACH transactions was made by Supervisor Pauli; seconded by Supervisor Streiff. Motion carried 5-0.

- b) 2020 941 Withholding Reports requested by the Internal Revenue Service in 2022 and 2023 and recent corrections for Quarter 1 and Quarter 2 –Wright had reported a credit notification last year that the IRS now states was issued in error. A portion was authorized retroactively for refund at the July 2023 meeting. Subsequent to this request from the IRS, agent Slaughter advised the Town to file an amended 941 for Quarters 1 and 2 in 2020. In 2020, there were three different individuals acting in the capacity as Clerk-Treasurer, which likely resulted in the confusion. Based upon the W-3 filed for that year, the correct withholding had been calculated and paid, but two of the four quarterly reports had errors that needed correction. Wright submitted those corrections and a cover letter to the Department of Treasury on July 26, 2023. He is awaiting a response.
- c) Open records request for absentee ballot requests from 2018 until present – Wright made Vince Espi, from The Sconi, aware that original absentee ballot requests are retained for a period up to 22 months following an election, so most of the information he was seeking no longer is available in the original form. Furthermore, those requests often contain personally identifiable information that is not in the interest of the public to release, unless redacted. Likewise, proofs of identification are not in the best interest of the public to release, unless heavily redacted. Wright was able to generate a spreadsheet for the period of time requested using the statewide voter database. It included 3,204 records of requests with the requester’s name, voter status, how the request was received, how the ballot was issued, the ward, the date and time requested, and the election for which the ballot was requested. No personal information was released. Wright has not received a response from Mr. Espi.

12. **Chairman Report**

- a) Architectural proposal – Chair Narveson presented a proposal from architect Jeff Lahey for site preparation and designs for a new public works building to be located at the recently acquired land on State Highway 39. After brief discussion, the Supervisors supported a review of site preparation that may initially be just a parking area. Without objection, further discussions and actions will be deferred until the outcome of the Knowles-Nelson Stewardship Grant application is known. The next step might include approving Vierbicher to lay out a Town access. The packet materials included a visualization of a new public works facility as prepared by Barrientos Design & Consulting on behalf of the Town in 2022.

13. **Parks Commission**

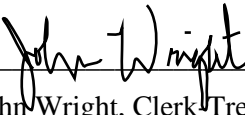
- a) July 19, 2023 minutes – Chair Narveson provided a brief update on the proposed relocation of the trail originally approved by the Wisconsin Department of Natural Resources along CTH NN to the location of the Town land on STH 39 that is proposed to connect with Durst Road to the east. Narveson has been in communication with the property owners on the north side of the road. A representative from the Wisconsin Department of Transportation will meet on site to review the suitability of an existing cattle pass beneath STH 39. If agreed to by the property owners, Attorney Hazelbaker will draft easement agreements based on survey descriptions prepared by Vierbicher.

14. **Plan Commission**

- a) July 20, 2023 minutes – See packet.

15. **Adjourn** – Motion to adjourn made by Supervisor Pauli; second by Supervisor Elkins. Meeting adjourned at 9:04 PM.

Approved: September 13, 2023



John Wright, Clerk/Treasurer