

TOWN OF WEST POINT

Pursuant to Wisconsin State Statute 19.84, the Town Board of the Town of West Point held their regular monthly meeting on Thursday, December 12, 2019 at the West Point Town Hall. The meeting was published in the Lodi Enterprise, the Sauk Prairie Star, posted in the three designated places in the Town and on the Town's website.

The Town Board meeting was called to order by Ashley Nedeau-Owen - Town Chairman, at 7:05p.m. The Town Board members present were: Ashley Nedeau-Owen -Town Chairman, Renee Nair - 1st Supervisor, Gordon Carncross - 2nd Supervisor, Karmin Enge - 3rd Supervisor, and Matt Zeman - 4th Supervisor. Also present were Taffy Buchanan - Town Clerk and Lonna Zeman - Town Treasurer.

The Pledge of Allegiance was said.

A motion was made by Ashley Nedeau-Owen to approve the agenda and move up #16. CSM Review for Minor Land Division for Lucille R Foster Trust for Tax Parcels #11040-164.A and #11040-165 and #10. Authorize Payment of Budgeted Bill Received Before the End of the Year to the next agenda items when the Town Attorney arrives, 2nd by Matt Zeman – motion carried unanimously.

Citizen Input – None

Copies of the November 14, 2019 Town Board Meeting minutes and the December 3, 2019 Special Town Board Meeting with the Town of Roxbury minutes were emailed to each Town Board member prior to the meeting for their review. A motion was made by Gordon Carncross to approve the November 14, 2019 Town Board Meeting minutes with a minor correction, 2nd by Gordon Carncross - yes 4, no 0, abstain 1 –motion carried. A motion was made by Gordon Carncross to approve the December 3, 2019 Special Town Board Meeting with the Town of Roxbury minutes with a minor correction, 2nd by Renee Nair – yes 4, no 0, abstain 1 –motion carried.

Treasurer Lonna Zeman had prepared the following report: General Fund as of November 30, 2019 - \$347,012.32; Park Fund \$1,472.14; Historical Society is \$4,405.28; and Savannah Tree is \$1,667.81 is in a 1-year CD (matures 5/24/20).

The Town Treasurer and Town Clerk reconciled the bank accounts for the month of November.

Correspondence – The Town received approved minutes from the Lodi Area EMS Commission and LAEMS Director’s Report from the October 17, 2019 meeting. The Town received minutes from the Lodi Area Fire District Commission from October 9, 2019. Laura Olah, CSWAB, sent an article, “Army Study Underestimates Risk to Groundwater and Public Health”. Gordon Carncross was contacted by Tracy Madison about a stray cat.

Jim Grothman presented a CSM for a Minor Land Division for the Lucille R. Foster Trust for Tax Parcels #11040-164.A and #11040-165. The Plan Commission recommended conditions of approval of the CSM (*attached to the minutes*). A motion was made by Matt Zeman to approve the Plan Commission’s Recommended Conditions of Approval of the Foster Trust / Weynand CSM” with some grammatical corrections, 2nd by Renee Nair – motion carried unanimously. A motion was made by Matt Zeman to approve the waiver of the restriction of the 1000ft length maximum length of driveway, 2nd by Gordon Carncross – motion carried unanimously. A motion was made by Matt Zeman to approve Resolution #12-12-2019 Dedicating and Authorizing the Use of Town Road, with a correction in #2, 2nd by Renee Nair – motion carried unanimously.

A motion was made by Renee Nair to authorize the payment of \$4,500.00 to Boardman & Clark for the Towns Attorney working on Chapter 6 of West Point’s Code of Ordinance, 2nd by Karmin Enge – yes 4, no 1 – motion carried.

The total bill for the cost of the emergency road project for Schoepp and Barta Road came to \$101,386.21 (Town of West Point - \$77,966.40 and Town of Roxbury - \$23,419.81). A motion was made by Matt Zeman to authorize the payment of \$77,966.40 to Clemens Excavating before December 31, 2019 and ask the Town of Roxbury to pay him their portion., 2nd by Gordon Carncross – motion carried unanimously.

A motion was made by Renee Nair to authorize the payment of any budgeted bills received before the end of the year, 2nd by Karmin Enge – motion carried unanimously.

A motion was made by Renee Nair to approve Resolution #12-12-2019B for a budget amendment, 2nd by Gordon Carncross – motion carried unanimously. A copy of the Resolution is attached to the minutes.

The bills were reviewed by each town board member prior to the town board meeting. A copy of the bills, deposits, budget for 2019 were given to each town board member for their information. A motion was made by Matt Zeman to take \$167.82 from 51600 Town Hall Maintenance and put \$25.43 in 51533 Assessor Expense, put \$140.51 in 51103 Publication, \$1.88 in 51108 Telephone and take \$11,830.65 from 53316 Highway Reconstruction and put \$9,294.94 in 53101 Engineer Roads, \$1580.00 in 53312 Snowplowing, \$705.65 in 53313 Brushing, 7.63 in 53314 Mowing, and \$242.43 in 53633 Transfer Site Expense, 2nd by Renee Nair - motion carried unanimously. A motion was made by Renee Nair to approve the bills as presented, 2nd by Gordon Carncross.

Reports:

Town Park Committee – no report

Lodi Fire Commission – Matt Zeman reported the Fire Department had 100 calls so far this year.

Sauk Fire District – Matt Zeman reported the next meeting is in January.

Plan Commission – Gordon Carncross reported the Plan Commission had 3 public hearings: Lu Foster / Weynand CSM, Finley CUP, and Earnest rezone & CSM.

Sauk EMS Committee – no report

Transfer Site Report – Matt Zeman reported there is a new hire at the Transfer Site.

Lodi EMS Committee – Karmin Enge reported Russ Schaefer EMS Director, was not at the meeting and it was a quick meeting.

Open Space Committee – no report

Columbia County Report – no report

Fish, Crystal and Mud Lake District/Pumping – no report

Broadband Committee – no report

The Town received a call from the Lodi Post Office stating Greimel Road has many potholes and is becoming unsafe for the postal carrier to drive on. The Town Chair will call Bill Statz with the County to put hot patch on Greimel and Bittner Road. Lake Wisconsin Country Club asked for permission to trim some Oak trees in the Town right-of-way on Golf Road.

A motion was made by Matt Zeman to grant the Mobile Home license for Crystal Lake Park for 2020, 2nd by Renee Nair – motion carried unanimously.

A motion was made by Matt Zeman to grant the Mobile Home license for Pine Vista for 2020 contingent on receiving the application & fee, 2nd by Karmin Enge – motion carried unanimously.

A motion was made by Gordon Carncross to grant the Mobile Home license for Schoepp's Cottonwood Resort for 2020 contingent on receiving the application & fee, 2nd by Matt Zeman – motion carried unanimously.

A motion was made by Matt Zeman to grant a Mobile Home for Farm Labor license to Gasser Ventures Inc. and Jeff Morter, 2nd by Renee Nair – motion carried unanimously.

Brandon & Carrie Finley are asking the Town for a Conditional Use Permit for a Tourist Rooming House at N2196 Blackhawk Drive, Lodi. The Plan Commission recommended to find criteria's #1, #2, & #5 to be found satisfied with conditions 1-17 listed on the County Report under "Items for Consider" which are: 1. The Conditional Use Permit is not transferrable to another owner; 2. Accessory structures shall not be used as habitable structures; 3. Pets shall be contained on the rental property; 4. Establishment of quiet hours. Typical conditions include quiet hours between 10:00 pm and 8:00 am on weekdays and 11:00 pm and 8:00 am on weekends; 5. All fires shall be in a proper fire pit structure, and shall be extinguished during established quiet hours; 6. The use of fireworks shall be prohibited; 7. The use of firearms shall be prohibited. 8. Special events or parties shall be prohibited; 9. Parking must be provided on-site, with a maximum of 3 vehicles allowed; 10. Occupancy associated with the Tourist Rooming House shall be limited to 8 persons; 11. Provide the Planning and Zoning

Department, Town Chair, Town Clerk and Town Constable with a 24-hour contact number; 12. A sign no larger than 12" by 18" shall be placed near the primary entrance door with a 24-hour contact number in case of a complaint or emergency. If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person; 13. A state sales tax number must be obtained and provided to the Planning and Zoning Department; 14. Property must remain free from citation and charges for nuisance, disorderly conduct or other illegal activity; 15. Garbage and recycled materials shall be properly stored; 16. Owner's website or other advertising shall state there are conditions associated with this use; 17. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours; and also additional conditions: proof of insurance as a Tourist Rooming House is provided, and the rental agreement is adjusted to limit it to 3 vehicles on the property, the rental agreement is incorporated into the CUP and conditions, the well is sampled and found to be safe, and the septic is found satisfactory for the number of bedrooms and to find criteria's #3, #4, #6, & #5 to be found satisfied. The Plan Commission also recommended the Town Board to recommend to the County the Finding of Facts made by the Plan Commission and to approve the CUP with conditions. A motion was made by Matt Zeman that the Town Board concurs with the Findings of Facts as recommended by the Plan Commission, 2nd by Karmin Enge – motion carried unanimously. A motion was made by Matt Zeman to recommend to the County the CUP for a Tourist Rooming House be approved with conditions, 2nd by Karmin Enge – motion carried unanimously.

A motion was made by Matt Zeman to have the Town Caucus on Thursday January 9, 2020 at 7:00pm, 2nd by Renee Nair – motion carried unanimously.

A motion was made by Matt Zeman to appoint the Election Committee as presented for 2020 and 2021, 2nd by Karmin Enge – motion carried unanimously.

Gordon Carncross received information on 5G Permitting in the Town Right-of-Way at the Wisconsin Towns Association Convention in October. Gordon is going to check with the WTA to see if they have any model ordinances, to help get this started for the Town.

There are a few more items to be updated on the Emergency Response Plan.

The next regular town board meeting will be on Thursday, January 9, 2020 at 7:00pm, on the agenda is: Town roads, Adopt Emergency Response Plan, Contracts, 5G Permitting in Town Right-of-Way, Fire Inspections, and any other business that can be legally added to the agenda.

A motion was made by Karmin Enge to adjourn the December 12, 2019 Town Board meeting at 9:30pm, 2nd by Renee Nair – motion carried unanimously.

Respectfully Submitted By
Taffy Buchanan
Town Clerk

**PLAN COMMISSION
RECOMMENDED CONDITIONS OF APPROVAL
OF
FOSTER TRUST/WEYNAND CSM
[GROTHMAN FILE NO. 719-314]**

The Plan Commission hereby recommends approval of the Foster Trust/Weynand CSM to the Town Board provided all of the conditions set forth below are met prior to the time the CSM is submitted to the Town for final execution and recording:

1. Execution of a Declaration of Covenants, Conditions and Restrictions in a form acceptable to the Town Attorney and Town Chair, providing that no building permit shall be issued by the Town for Lot 2 of the CSM until the Applicant complies with all applicable provisions of Chapter 12 of the Town's Code of Ordinances regulating construction and maintenance of driveways, including Section 12.21, Engineering Plan Components.
2. Payment of a fee in lieu of park land dedication for the newly created Lot 1 of the CSM as required by Section 6.17(E) of the Code in the amount of \$900.00.
3. Obtaining final written approval of the CSM by Columbia County Planning and Zoning Department prior to the recording of the CSM.
4. Execution by the land divider(s) of the Town's Notice of Responsibility Agreement acknowledging payment of all fees and expenses incurred by the Town in connection with the review of the CSM and all related documents including, but not limited to, all review fees including the fees of the Town Attorney and Town Engineer. All fees to be paid current, prior to or at the time the final CSM is executed by the Town.
5. Pursuant to Section 6.14(E) of the Code, depict the required Building Envelopes on Lots 1 and 2, which locations shall be approved by the Town Board and which map shall be incorporated into a Declaration of Covenants, Conditions and Restrictions in a format acceptable to the Town Attorney and Town Chair and recorded along with the final CSM.
6. That the Town Board, for financial consideration acceptable to it, dedicate Outlots 2 and 3 of The Fjords for public road purposes to establish public road frontage for Lots 1 and 2 of the CSM and adjoining lands.

7. Verification of payment of all outstanding real estate taxes as of the date the Town is requested to execute the final CSM for Lots 1 and 2 or the lands from which Lots 1 and 2 are derived.

8. Recording of the CSM with six (6) months of the final approval of the CSM by the Town Board and, failing same, a new review and re-approval shall be required pursuant to Section 6.14(F) of the Code.

9. Providing satisfactory evidence to the Town Attorney of the existence of the Lucille R. Foster Trust and the trustee's or trustees' authority to execute all documents related to the CSM on behalf of the Trust.

10. Execution and recording of a shared access and driveway easement agreement for the benefit of proposed Lots 1 and 2.

11. Written consent from Robert and Patricia Weynand to the form and recording of the CSM affecting their real estate.

12. Execution and recording of a Declaration of Covenants, Conditions and Restrictions in a form acceptable to the Town Attorney and Town Chair prohibiting the further division of Lot 1 notwithstanding it is single family residence zoning.

**TOWN OF WEST POINT
RESOLUTION #12-12-2019
DEDICATING AND AUTHORIZING
THE USE OF
TOWN ROAD**

WHEREAS, The Fjords, a plat located within the Town of West Point, Columbia County, Wisconsin ("Town") was recorded on October 29, 1979, as Document No. 405611, Columbia County, Wisconsin Registry; and

WHEREAS, as a consequence of the recording of the plat, Outlots 2 and 3 were mapped and created; and

WHEREAS, the plat dedicated Fjord Road to the Town for town road purposes, which road lies, in part, immediately south of Outlots 2 and 3; and

WHEREAS, the Lucille R. Foster Trust ("Trust") is the owner of the real estate located immediately north and west of Outlots 2 and 3 and has requested a portion of its real estate be divided by Certified Survey Map ("CSM") pursuant to the Town's Code of Ordinances; and

WHEREAS, to facilitate approval of the CSM, the Trust offered to compensate the Town in return for it dedicating Outlots 2 and 3 for town road purposes to provide public road frontage to the CSM lots and other Trust owned real estate.

NOW, THEREFORE, the Town Board of the Town hereby resolves as follows:

1. Upon payment by the Trust to the Town of the sum of thirty-eight thousand dollars (\$38,000.00) and the Trust otherwise fulfilling all other conditions of approval of the CSM imposed by the Town, the Town agrees to dedicate Outlots 2 and 3 for town road purposes.
2. Upon the recording of the CSM, Outlots 2 and 3, as dedicated, shall become part of, and be known as, Fjord Road.
3. As a consequence of the dedication of Outlots 2 and 3 as part of Fjord Road, the Town has no objection to Outlots 2 and 3 being used for town road purposes to provide public access to the CSM lots and other lands owned by the Trust.

4. The Town Chair and Town Clerk, as necessary, are hereby authorized to execute any and all documents necessary to fully implement this Resolution, including signing the Owner Certificate of Dedication on the CSM.

RESOLUTION adopted by the Town Board of the Town on the 12th day of December, 2019, upon a vote of 5 ayes and 0 noes.

TOWN OF WEST POINT

By: _____

Ashley Nedeau-Owen, Chair

Attest : _____

Taffy Buchanan, Clerk



TOWN OF WEST POINT
RESOLUTION #12-12-2019B

WHEREAS, the Town Board of West Point adopted its 2019 Operating Budget on November 8, 2018; and

WHEREAS, Pursuant to Wis Statutes 65.90(5)(a), the West Point Town Board is to approve budget amendments; and,

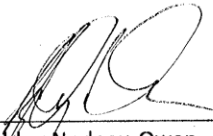
WHEREAS, the Town of West Point borrowed \$194,000.00 from the Bank of Prairie du Sac for a town road project; and

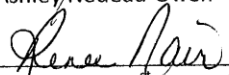
WHEREAS, the Town of West Point as of December 12, 2019 has not received the \$174,542.49 from the Local Road Improvement Grant; and

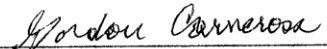
WHEREAS, the Town of West Point wants to pay \$175,000.00 on the loan before the end of 2019;


NOW THEREFORE BE IT RESOLVED, that the Town Board of West Point does hereby approve the transfer of \$175,000.00 from Unrestricted Funds (1100 Beginning Balance) to account #51957 Debt on Roads 2019 for payment on the loan.

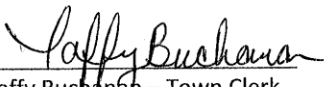
Dated this 12th day of December, 2019

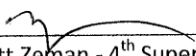

Ashley Nedeau-Owen - Chairman


Renee Nair - 1st Supervisor


Gordon Carncross - 2nd Supervisor


Karmin Engle - 3rd Supervisor

Attest: 
Taffy Buchanan - Town Clerk


Matt Zeman - 4th Supervisor