

TOWN OF WEST POINT  
TOWN BOARD MEETING MINUTES  
October 12, 2023

Pursuant to Wisconsin State Statute 19.84, the Town Board of the Town of West Point held their regular monthly meeting on Thursday, October 12, 2023, at the West Point Town Hall and via Zoom. The meeting was published in the Lodi Enterprise, the Star News, 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 7:00 p.m. The Town Board members present at the Town Hall were: Ashley Nedeau-Owen - Town Chairman, Kevin Kessler - 1<sup>st</sup> Supervisor, Scott Earnest - 2<sup>nd</sup> Supervisor, John Ungrodt - 3<sup>rd</sup> Supervisor, and David Lendved - 4<sup>th</sup> Supervisor. Also present were Taffy Buchanan - Town Clerk and Sharon Richmond - Town Treasurer.

The Pledge of Allegiance was said.

A motion was made by David Lendved to approve the agenda moving the County Report up to #9 after "Approval of Payments of the Bills & Schoepp Road 1<sup>st</sup> Payment Request", 2<sup>nd</sup> by Scott Earnest – motion carried unanimously.

Citizen Input – David Padley asked about an update on Padley Drive / Padley Road issue.

Copies of the September 14, 2023, Town Board Meeting minutes were emailed to each Town Board member prior to the meeting for their review. A motion was made by Kevin Kessler to approve the September 14, 2023, Town Board Meeting minutes as presented, 2<sup>nd</sup> by Scott Earnest - motion carried unanimously.

Treasurer Sharon Richmond had presented the following report: General Fund as of September 30, 2023 - \$619,835.74; Coronavirus Recovery Acct (ARPA Funds) - \$208,290.42; Park Fund \$2,727.00; Historical Society is \$7,111.68; and Savannah Tree is \$1,170.97 is in a 1-year CD (matures 5/24/24). The Town Treasurer and Town Clerk reconciled the bank accounts for the month of September.

Correspondence – The Open Book will be held Tuesday, October 17, 2023 from 10:00am-4:30pm in person and by phone on October 18, 2023 & October 24, 2023. The Board of Review will be held Wednesday, November 1, 2023 starting at 5:00pm. Curtis Ryan requested that Columbia County put the dumpsters on the gravel instead of on the grass at the Transfer Site otherwise glass and other stuff gets in the grass he mows. Columbia County is having a public hearing on November 7, 2023 on proposed text amendments to Chapter 12 – Subchapter 100 Zoning Ordinance to provide clarification for different size solar developments. Alliant Energy sent a letter about their ability to control and monitor use of the Lake Wisconsin shoreline. Brian Bilse, Project Coordinator for LCAT, would like to attend a future Town Board meeting to provide NARCAN training. The Town received LAFD Fire Commission minutes from August 16, 2023 and September 20, 2023; and LAFD Fire Chief report from September 20, 2023. The WDOT had a meeting on October 4, 2023 about a project for State Road 188 to help with safety and prevent pavement deterioration. The Town received minutes from the Sauk Fire District Commission from the May 17, 2023 meeting and their 2024 budget.

The first pay request for \$74,803.67 for Schoepp Road was received from S&L Underground and was recommended for payment by the Town Engineer. A motion was made by Scott Earnest to approve the first payment request of \$74,803.67 to S&L Underground, 2<sup>nd</sup> by David Lendved – motion carried unanimously.

The bills were reviewed by each town board member prior to the town board meeting. A copy of the bills, deposits, and budget for 2023 were given to each town board member for their information. A motion was made by David Lendved to approve paying the bills as presented, 2<sup>nd</sup> John Ungrodt – motion carried unanimously.

Columbia County Report – Doug Richmond stated last Spring they had applied for a Broadband Grant and did not receive it but more grants have become available and will try again. The Wisconsin Dells do not want to continue their 911 center so Columbia County will need to take over their dispatching. The Health & Human Services Center will be funded 85% by grants. Columbia County will have about 10 million over what they need to have in reserve funds in 2024. He also stated the mill rate will be going down this year.

A public hearing to discuss the method of calculating the distribution of costs for the Assessor's Plat between the shoreland parcels in the Pleasant View Park and Weast Park plats was opened at 7:25pm. Ashley Nedeau-Owen asked for ideas on

how to distribute the costs and explained some options. The costs could be divided: based on percentage of square feet owned, based on percentage of square feet of new land acquired, based on shoreline footage, and flat fee. Chuck Cushman, N2447 Highway 188, asked if it would be going off the plat or waterline. The Town Chair stated it would be free & clear title to the water after the plat is finished. Eric Kramer, W12746 Pleasant View Park Road, though we should let the neighbors, where there might be property line disputes try working through issues on their own before starting the plat to help keep the costs down. The Town Chair stated any disputes that arise will be born by the owners in the dispute. John Steele, W12770 Pleasant View Park, liked the idea of water line linear footage. Steve Britt, W12694 Pleasant View Park Road, suggested the surveyor could track the time spent on each parcel and bill accordingly. Ron Paar, N2461 Highway 188, stated he thought each parcel could pay based off what they gained. The Town Board will look at the different methods of calculating the way to distribute the cost of Assessor's Plat. A notice was sent to the 71 different owners of the affected parcels. The public hearing was closed at 8:02pm.

The Town Attorney is drafting a resolution to order an Assessor's Plat for the lakeshore properties of the Weast & Pleasant View Park plats. A motion was made by Kevin Kessler that the Town Board authorize a request for proposal be put out to professional surveyor firms for the completion of an Assessor's Plat for Weast & Pleasant View Park, subject to advice from the Town Attorney, 2<sup>nd</sup> by Scott Earnest – motion carried unanimously.

The draft tax newsletter was distributed to the Board. No suggestions or edits were made, the Treasurer will send it to the printer before November 1, 2023.

No operator licenses were presented for approval.

At the last September meeting David Padley stated he would like to rezone a portion of his land so his daughter can build a house and it was determined he had one remaining development right available. He wants to rezone Parcels #11040-523 and #11040-527. A 2.2-acre lot would be created from portions of Parcel #11040-527 to be rezoned from A-1 Agriculture to RR-1 Rural Residence, the rest of #11040-527 and #11040-523 would be rezoned from A-1 Agriculture to A-1 Agriculture with an A-4 Overlay. A motion was made by Ashley Nedeau-Owen to approve the CSM and recommend to the County to approve the rezone, noting that all development rights will now be used up, 2<sup>nd</sup> by David Lendved – motion carried unanimously. Deed covenants showing there will not be any more development

rights will need to be approved by the Town Attorney and filed. A “park fee” would also need to be paid.

Julia Thiele, requested a variance to Section 12.110.03(1) Parcels and Building Standards in Residential Zoning Districts of the Columbia County Zoning Ordinance, at W13236 Lake Drive, Lodi, Parcel #11040-779. Julia Thiele would like to place a new 103 sq. ft. shed next to the residence and the foundation of the shed has been attached to the residence, so it is being treated as an addition. The minimum interior yard setback is 10 ft. and the addition is proposed to be 7 ft. from the east side of the property line. At the October 5, 2023, Plan Commission meeting, they made a recommendation for approval of the variance because they felt the present structure is a necessary part of a retaining wall. A motion was made by Kevin Kessler to recommend to the County to approve the variance request, 2<sup>nd</sup> by John Ungrodt – motion carried unanimously. The Town Board also noted they were making the recommendation because they felt the present structure is a necessary part of a retaining wall.

Teri Rae Olson, W13166 State Road 188, Parcel #1104024. I would like to put in a new driveway to her property with access on Lake Drive with an easement through her brother’s property. Her current driveway is a shared driveway with her brother coming off Highway 188 and is very long and hard for emergency services to find and get to her residence. At the September meeting the Town Board tasked the Town Engineer to review the existing shared driveway for conformance to our ordinance and tasked the Town Attorney to review the existing shared driveway easement for conformance to our ordinance. The Town Engineer determined the existing shared driveway was substandard. A motion was made by Kevin Kessler that the Town Board makes the determination as recommended by the Plan Commission that an access on Lake Drive would be acceptable at a location approved by the Town Engineer and with proof of an easement granted or ownership at that location and if the Town Engineer approves the location of the driveway on Lake Drive that the shared driveway to State Highway 188 be vacated and the new driveway be constructed in conformance to the requirements for servicing a commercially zoned property if required in accordance with Columbia County Zoning requirements, 2<sup>nd</sup> by David Lendved – motion carried unanimously.

S&L Underground submitted the first pay request for the Schoepp Road Project and is on schedule to finish it by October 20, 2023. The Clerk received a phone call from Ervin Breunig asking why a culvert that went under Schoepp Road

by his parcel was taken out and not replaced; the clerk told him he would need to call the Town Engineer or Town Chair and discuss it with them.

The Town Chair spoke with Muirs about a tree that looks like it is about to fall on Trails End Road Muir's property: since the land is in conservancy, they do not think they are allowed to cut anything down. The Town Chair will write a letter to the landowners and conservancy asking if they have an objection to cutting down the tree.

The Town Chair will contact the County about some brushing and shouldering work.

#### Reports:

Lodi Fire Commission – David Lendved reported they met on September 20, 2023. According to the opinion of the City of Lodi's Attorney the IGA which was approved by all three municipalities in 2022 is in effective even though the Town of Lodi has not signed it. The engineering for the pump truck has been completed, they believe the 1<sup>st</sup> payment for the pump truck will be due in 2026. The Fire Department has moved forward with the 501c3 status.

Sauk Fire District – David Lendved reported they met on September 20, 2023. The concrete apron for the Fire Department was completed for \$39,935, all vehicles have had maintenance completed except Ladder 9 which is under warranty. They also approved spending \$20,000 for the installation of fire alarms and a security system in the Fire Department. They also discussed the IGA and based on the Town Board's motion last month about the Sauk IGA, David Lendved tried to make a motion to add language to the IGA that a quorum of the municipalities approve the budget but the motion died due to a lack of a second.

Sauk Prairie Ambulance – no report

Lodi EMS Commission – no report

Plan Commission – Kevin Kessler reported on the October 5, 2023, meeting. The Plan Commission discussed and made recommendations for rezone and CSM for David & Diana Padley, the variance for Julia Thiele, and the new driveway placement for Teri Rae Olson. Also on the agenda was the rezoning request for Dan

Breunig, N600 Pulvermacher Road, but postponed action because the Plan Commission still had not received the needed information.

Transfer Site Report – no report

Park & Open Space Committee – no report

The Clerk was contacted by Drew McComb, Forest Ranger- Division of Forestry, WDNR about a Special Burning Permit that is needed for the Transfer Site. Due to the drought, burning regulations have been reinstated for the fall. If the people needing to burn larger piles or at times not allowed under an annual permit, they need to get a special burning permit. He said he will work with the Transfer Site employees and get them special burning permits when needed. He also spoke with some of his colleagues, and they said since the brush and wood did not originate on site, the Transfer Site would need a woodburning facility license also.

Ordinance #2023-10-12 for repealing and recreating section 1.04 of the Town Code of Ordinance was presented for adoption. A motion was made by Kevin Kessler to adopt Ordinance 2023-10-12, 2<sup>nd</sup> by David Lendved – motion carried unanimously. A copy of Ordinance #2023-10-12 has been attached to the minutes.

The West Point Area Historical Society has received a lot of items from a local genealogist, Patti Schuknecht, which has filled up the small conference room. The WPAHC has been sorting through the items and deciding which items to keep. The small conference room will be needed in February for in-person absentee voting. A motion was made by David Lendved to set the deadline of January 31, 2024, for the WPAHS to have the small conference room cleared out.

The Lodi Area EMS 2024 budget was given to the Town Board. A motion was made by David Lendved to approve the LAEMS 2024 budget as presented, 2<sup>nd</sup> by Scott Earnest – motion carried unanimously. The Board stated that next year they would like the EMS Director to present the budget in case they have any questions.

The Lodi Area Fire Department 2024 draft budget was given to the Town Board. A motion was made by David Lendved to approve the 2024 Town of West Point budget assessment for the LAFD not to exceed \$28,191.00, 2<sup>nd</sup> by John Ungrodt – motion carried unanimously. The Board would also like the Fire Chief to present the budget next year in case they have any questions.

A motion was made by Kevin Kessler to schedule a Special Town Board meeting on Monday, October 23, 2023, at 6:00pm to work on the 2024 budget, 2<sup>nd</sup> by David Lendved – motion carried unanimously.

A motion was made by Ashley Nedeau-Owen to have public hearing for the 2024 budget and the Special Town Meeting of the Electors of West Point to approve the levy on November 8, 2023, at 7:00pm with the Town Board meeting to immediately follow, 2<sup>nd</sup> by John Ungrodt - motion carried unanimously.

The Chairs for the Town of West Point & Lodi and the Mayor of the City of Lodi and each municipalities lawyers will be meeting on October 24<sup>th</sup> to discuss the LAFD – IGA.

“Lodi Area EMS Inter-governmental Agreement” was postponed.

The next regular town board meeting will be on Thursday, November 9, 2023, at 7:00pm, on the agenda is: Bob Koch – Columbia County Emergency Management, resolution for Assessor’s Plat, Northern Cross Arm – speed reduction, LAEMS IGA, LAFD IGA, LAFD budget, Town roads, and any other business that can be legally added to the agenda.

A motion was made by David Lendved to adjourn the October 12, 2023, Town Board meeting at 10:58pm, 2<sup>nd</sup> by Kevin Kessler – motion carried unanimously.

Respectfully Submitted By

*Taffy Buchanan*

Town Clerk

**Ordinance #2023-10-12**

**TOWN OF WEST POINT  
ORDINANCE REPEALING AND RECREATING SECTION 1.04 OF THE TOWN  
CODE OF ORDINANCES**

The Town Board of the Town of West Point, Columbia County, Wisconsin, does hereby ordain as follows:

The Town Board of the Town of West Point, Columbia County, Wisconsin, does hereby ordain as follows:

**WHEREAS**, the Town of West Point has exercised its authority under s. 66.0103, Wis. Stats., to adopt a code of ordinances; and

**WHEREAS**, the Town Clerk has the responsibility under s. 60.33 and s. 60.80, Wis. Stats, to publish or post ordinances and to maintain official records; and

**WHEREAS**, the Town Board of the Town of the West Point finds it necessary to assign more specific responsibilities to the Town Clerk and the Town Attorney for preparation of proposed ordinances, incorporation of ordinances into the Code of Ordinances, and maintenance of paper and electronic copies of the Code of Ordinances;

**NOW, THEREFORE, BE IT RESOLVED**, that Section 1.04 of the Town of West Point Code or Ordinances is hereby amended as follows:

Section 1.04 of the Town's Code of Ordinances is hereby repealed and recreated as follows:

**SECTION 1.04. Preparation and Maintenance of Town Code.**

**A. Preparation for Adoption.**

Before adoption, the Town Clerk and the Town Attorney shall work collaboratively in preparing any proposed ordinance or ordinance amendment in suitable format for adoption. In preparing such ordinance or ordinance amendment, they shall notify the Board whether any provisions being proposed for adoption are inconsistent with any other Town ordinances or, if adopted, would require any other code provisions to be updated.

**B. Legal Notice after Adoption.**

Following adoption, the Town Clerk shall arrange for the publication and posting of such ordinance or ordinance amendment in accordance with Wis. Stats. 60.80 and shall also post it on the Town's website.



C. Editing to Incorporate into Code.

Upon adoption and legal notice of adoption, the Town Clerk and Town Attorney shall collaborate in editing the Town Code to incorporate that newly adopted ordinance or ordinance amendment into the printed version and the electronic version of the Town Code. Both the Town Clerk and the Town Attorney shall maintain a complete and updated copy of the Code of Ordinances in the agreed upon word processing format. The Town Clerk and the Town Attorney shall agree upon a process to assure that the electronic copies maintained by each are protected and are identical.

D. Maintaining Edited Code for Public Examination.

A copy of the most current edited version of the Town Code shall be maintained by the Town Clerk in printed version at the Town Hall, and it shall be available to all persons desiring to examine it, during normal business hours. An electronic version of the most current edited version of the Town Code shall also be posted on the Town's website for examination by the public.


E. Supplemental Procedures.

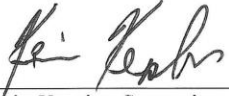
The Town Clerk and the Town Attorney may agree upon more detailed written procedures to supplement the provisions of this section.

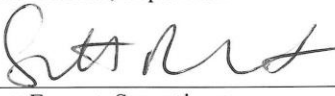
**This Ordinance shall be effective upon publication and posting as provided by law.**

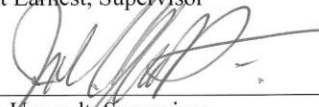
Adopted this 12 day of October, 2023

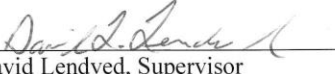
TOWN OF WEST POINT, Town Board

  
\_\_\_\_\_  
Ashley Nedeau-Owen, Town Chair

  
Kevin Kessler, Supervisor

  
Scott Earnest, Supervisor

  
John Ungrodt, Supervisor

  
David Lendved, Supervisor

Attest:   
Taffy Buchanan, Town Clerk

Posted: October 31, 2023