

The Ledgeview Town Board held a meeting on **Monday, May 5, 2014, at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

A. CALL TO ORDER

The meeting was called to order by Supervisor Danen at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

C. ROLL CALL

Members present were Supervisors Philip J. Danen, Richard Huxford, Renee Van Rossum, and Andy Schlag. Chairman Marc Hess was excused.

Staff present were Sarah Burdette, Clerk/Administrator, Luann Pansier, Treasurer, and Charlotte Nelson, Deputy Clerk.

D. AGENDA APPROVAL

MOTION by Van Rossum/Huxford to approve the agenda. No further discussion.

Motion carried in a voice vote, 4-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. April 22, 2014 Town Board Minutes
2. Routine Reports:
 - a.
3. Committee/Commission Reports:
 - a.
4. Operator's Licenses:
 - a. April 16, 2014 - May 1, 2014
5. Other Committee minutes. Accept and place on file.
 - a. March 12, 2014 Zoning & Planning Minutes
 - b. March 26, 2014 Central Brown County Water Authority Meeting Minutes.
6. Public Amusements & Shows Application
 - a. 21 Gun Roadhouse Truck & Tractor Pull May 31, 2014 from 4 p.m. - 9 p.m.

All items listed under "Consent Agenda" are considered to be routine and non-controversial by the Town Board and will be approved by one motion. There will be no separate discussion. If discussion is desired by members, that item will be removed from the consent agenda and discussed separately immediately after consent agenda is approved.

MOTION by Schlag/Van Rossum to approve the consent agenda. There was discussion on the Public Amusements & Shows Application for 21 Gun Roadhouse. Both the Building Inspector and the Fire Chief will be doing inspections on the final set-up prior to the event taking place. This is an annual event, however, it is under the new sponsorship of 21 Gun Roadhouse. The Temporary Class B Retailer's License will be on the next agenda for board action. No further discussion. Motion carried in a voice vote, 4-0.

NEW BUSINESS: Address the resignation of Town Chair, Marc D. Hess, effective May 1, 2014.

The Town Board along with the Town Clerk/Administrator received a copy of the resignation of Marc D. Hess from his elected position of Town Chair effective May 1, 2014. Due to the resignation, Danen explained that it is up to the remainder of the Town Board Members along with the Town Clerk as to how they want to appoint a Chairperson to the remainder of the Hess's term, expiring April, 2015. There is no statutory process in which to make the appointment, rather it's up to the board and the Town Clerk to make the determination on the selection process as well as the appointment. Discussion ensued on the options to fill the position; a special

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election could be held although rather costly, an appointment could be made from the remaining Town Board members, or they could open up the selection process to town residents. It was the consensus of the board members to appoint from within the remaining board members. Since Danen has been the fill in for Hess's absence, and has expressed his willingness to serve in that capacity, the board felt it proper to appoint Danen as Town Chair for the remainder of Hess's term.

Discussion continued with the process of appointing a Town Board Supervisor to the remainder of Danen's term, expiring April 21st, 2015. It was the consensus of the Town Board and the Town Clerk for Deputy Clerk Nelson to create an application using the Nomination Papers as a template, but not to require the candidates to gather the twenty signatures needed for ballot access. Any nominations should also be taken by Deputy Clerk Nelson as well so contact may be made with the nominee to inquire if they are interested in the position. Deputy Clerk Nelson should accept applications through any media means possible until May 15th, at which time the Town Board packets are distributed for their May 20th meeting. At the May 20th Board Meeting, the board along with the clerk will review the applications for possible appointment or may require additional information from the candidates.

MOTIONS:

MOTION by Danen/Schlag to accept the resignation of Marc D. Hess as Chairman of the Town of Ledgeview effective May 1, 2014. No further discussion. Motion carried in a voice vote, 4-0

MOTION by Schlag/Van Rossum to appoint Danen as Town Chairman effective immediately for the remainder of Hess's term expiring April, 2015. No further discussion. Roll call vote: Schlag - yes, Van Rossum - yes, Huxford - yes, Burdette - yes. Motion carried in a roll call vote, 4-0-1 with Danen abstaining.

There was discussion on Danen resigning as Town Board Supervisor. It was determined that Danen would give a verbal resignation immediately, and follow the verbal resignation with a written one to the Clerk/Administrator. With that said, **MOTION** by Huxford/Van Rossum to accept the verbal resignation of Supervisor Danen effective immediately. No further discussion. Motion carried in a voice vote, 3-0 with Danen abstaining.

MOTION by Danen/Van Rossum to accept nominations and applications for anyone in the town, who is eligible to run for election, for the position of Town Board Supervisor for the remainder of the term expiring April 21, 2015. Applications should be received through any reasonable media means by Deputy Clerk Nelson as well as any nominations so that contact can be made with the nominee to confirm they are interested in accepting the position. Applications and nominations should be accepted until May 15th for distribution to the board for the May 20th meeting at which time the board can review, appoint, or request additional information. Point of clarification; the appointment is made by the remaining Town Board members and the Town Clerk. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Steve Malvitz, 4210 Monroe Road - Mr. Malvitz was questioning the appointment process the board just voted on and the reasons why the process is being used instead of the election process. It was explained that the state statutes dictate that because an elected chairperson resigned, the board appoints a replacement for the remainder of former elected official's term. The selection process used to fill that vacancy is determined by the remaining Town Board members and the Town Clerk.

Tom Kraft, 4336 Scray Hill Road - Mr. Kraft is requesting the board to help stop the jake breaking that's occurring with the dump trucks coming out of the quarry on Scray Hill Road. There was discussion regarding a truck safety feature mechanism that causes the trucks to sound like they're jake breaking, but they're really not. Code Enforcement Officer Mark Roberts has observed these trucks many times, and does not believe there is any jake breaking occurring. Mr. Kraft believes speed is a factor because trucks are empty when they come down the hill and they're jake breaking in order to stop at the stop sign. Mr. Kraft would like to see the trucks go out to the south of the quarry and not use Scray Hill Road at all. Discussion ensued about an

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agreement with the Danen & Jansen Quarry for road repairs. There will have to be some further research into that agreement.

PUBLIC HEARINGS/ACTION: None.

COMMUNICATIONS: None

ZONING AND PLANNING COMMISSION ITEMS: None.

OLD BUSINESS:

1. **Review/Approve Municipal Agreement Addendum between Town of Ledgeview and Brown County for CTH GV-10 Project (CTH X - CTH G).**

At the last Town Board meeting, it was the board's wishes to invite the affected property owners along with the county staff to tonight's meeting. Since Town Engineer Scott Brosteau was unable to attend tonight's meeting and Brown County Highway Department's decline invitation to tonight's meeting, Brosteau mailed a letter to the affected property owners advising them of the requested project changes included in the addendum with an opportunity to express any comments or concerns regarding the proposed changes. Receiving no comments from the affected owners, Brosteau recommends the following:

- Approve addendum from County.
- Place into the Town records the County Engineering Manager's response to the Town in the regards to future pavement replacement be cost shared.
- Consider going on record that the Town does not agree with the traffic projection the County is using for the GV-10 project, that they are extremely low given the area is targeted for development by the Town and the Town's desire to have the corridor extended to 32/57 within the next 20 year or less.

Since several affected property owners were in the audience along with their attorney, Danen wanted to open the meeting up for public comment. **MOTION** by Danen/Van Rossum to open the meeting up for public comment. No further discussion. Motion carried in a voice vote, 4-0.

Steve Malvitz, 4210 Monroe Road - Commented on the timing of the letter. Mr. Malvitz is agreeable to the proposed amendments. This is what the property owners were asking for three years ago. The project should be done by design not by price.

Atty. John Hager, on behalf of a number of property owners - Atty. Hager would like to get the affected property owners together with the county to talk about this issue. He would also like a copy of the proposed map design of the median crossing locations. Right now the property owners have put the right away acquisitions on hold until action is taken on this proposed amendment.

Gene Campbell, 3950 Monroe Road - Mr. Campbell would like the maps updated on the town website as the amendments occur.

Larry Carter, 3401 Carter Lane- Would like to see the speed limit established at 45 mph and less lighting than that on GV-9. The Town Board can advise the county of the town's speed limit wishes, but GV is a county highway, so it's up to the county to set the speed limit.

Luann Pansier, Town Treasurer - Inquired if there were still going to be roundabouts at each end of the project. Yes, the roundabouts are still included in the project.

At this time there were no other public comments heard. **MOTION** by Danen/Van Rossum to close the meeting to public comment. No further discussion. Motion carried in a voice vote, 4-0.

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Point of clarification: The board would be approving the addendum that would allow the county to re-design the GV-10 project to include median crossover openings for every driveway location similar to that of GV-9, would allow the county to use asphalt instead of concrete, and to revise the estimate reflecting those two proposals.

MOTION by Huxford/Schlag to approve the addendum with the stipulation to have Town Engineer Scott Brosteau's concerns (stated above) be considered as the county moves forward. No further discussion. Motion carried in a voice vote, 4-0.

REPORTS:**Clerk/Administrator:**

- Regarding the Gerbers matter, Burdette will be in depositions on May 23rd.
- Employee benefit insurance is up for renewal.
- Community Mapping Forum will be held Thursday, May 8th at 6:00 p.m.
- Public Works will be doing their road drive around this week.
- Central Brown County Water Authority will be talking about water sales and purchase agreements amendment.
- Town Planner is gathering information on the Working Lands Ordinance which should be ready for the June agenda.
- The Town of De Pere became the Town of Ledgeview 20 years ago Spring of 1994.
- The Storage Project will begin tomorrow.
- Sheriff's data for April was in the board packet.
- Zoning & Planning Committee meets next week with a proposed apartment complex by the Biegalow's and modifications to the middle school and high school playing fields. There will be an informational meeting on the ball fields at 5:30 p.m.
- Open Book will be held Wednesday, May 7, 2014 from 3:00 p.m. to 5:00 p.m.
- Board of Review is scheduled after the May 20th meeting from 6:00 p.m. to 8:00 p.m.

Treasurer:

- Working on cleaning out the storage room in preparation of the storage project. L. Pansier provided the board with an itemized list of the safe contents. She needs to know what the board would like to do with the items. UW-Green Bay has been contacted along with the Neville Museum to see if they would be interested in the contents. The board would like L. Pansier to check into White Pillars in De Pere to see if they would like any of the contents.

Board Comments:

- Huxford inquired as to the status of the advisory motions made at the Annual Meeting.
- Huxford inquired as to the status of the Annual Meeting minutes posted on the website.
- Huxford finds the Wisconsin Towns Association Brown County Unit Meeting very informative and wishes other board members would attend the meetings.
- Huxford advised that Brown County Highway Department had their annual meeting for all the Brown County townships. The county feels they will have their own asphalt plant soon.
- Huxford would like to know the status of the last approved ordinances. They were published, posted, and are on the website.

APPROVAL OF THE VOUCHERS:

MOTION by Van Rossum/Huxford to approve the vouchers. No further discussion. Motion carried in a voice vote, 4-0.

ADJOURNMENT:

MOTION by Danen/Schlag to adjourn. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 6:55 p.m.

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Charlotte K. Nelson, Deputy Clerk
Town of Ledgeview, Brown County, WI