

The Ledgeview Town Board held a meeting on **Tuesday, September 18, 2018 at 4:30 p.m.** at the Community Center located at 3700 Dickinson Road, De Pere, WI 54115.

CALL TO ORDER

The meeting was called to order by Chairman Danen at 4:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

ROLL CALL

Members present were Chairman Danen, Supervisors Ken Geurts, Renee Van Rossum, Cullen Peltier, and Mark Danen.

Staff present were Administrator Sarah Burdette, Engineer Scott Brosteau, Planner Dustin Wolff, Treasurer Renae Peters, Public Works Crew Member Andy Tenor, and Clerk Charlotte Nagel.

AGENDA APPROVAL

MOTION by Geurts/Van Rossum to approve the agenda. No further discussion. Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. August 21, 2018 Town Board Meeting
 - b. September 4, 2018 Town Board Meeting
2. Routine Reports: None
3. Committee/Commission Reports: None
4. Operator's Licenses: September 4, 2018 – September 14, 2018.
5. Other Committee Minutes:
 - a. July 11, 2018 Zoning & Planning Commission Meeting
 - b. August 15, 2018 Zoning & Planning Commission Meeting
 - c. March 21, 2018 Redevelopment Authority Meeting
 - d. June 10, 2018 Redevelopment Authority Meeting
6. Pay Requests:
 - a. Change Order #1 for Contract D-2017, Grande Ridge in the amount of \$8,805.56
7. Special Event & Street Closure Permits: None.

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 Geurts/Van Rossum to approve the Consent Agenda. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT: None.

PUBLIC HEARING: The Board will hear comments and may take action on any of the following items:

Approved at the October 1, 2018 Town Board Meeting.

1. **The purpose of the public hearing is to hear comment on the request by the Town of Ledgeview for parcels to be rezoned to Agriculture-Farmland Preservation (AG-FP). Parcels to be included in the AG-FP rezone are as follows:**

D-88	D-108	D-265	D-302	D-317-1	D-344-1
D-89	D-109	D-265-1	D-304	D-319-1	D-352
D-89-1	D-170	D-266	D-306	D-320-2-1	D-400
D-90	D-173	D-266-1	D-307	D-322	D-400-5
D-91-1	D-174	D-267	D-308	D-323-1	D-402
D-95	D-240-2	D-268	D-308-4	D-325	D-416-1
D-99	D-241	D-268-2	D-309	D-326	D-416-2
D-100	D-242	D-269	D-311	D-329	D-417
D-102	D-253	D-285	D-312	D-330	D-420-2
D-103	D-257-2	D-287	D-313	D-332	D-420-3
D-104	D-288	D-293	D-314	D-333	D-461
D-105	D-289	D-294	D-314-2	D-334	D-462
D-106	D-291	D-298	D-315	D-335	
D-107	D-292	D-299	D-316	D-343	

Staff explained the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) administers the statewide Farmland Preservation Program (FPP), designed to help local governments and landowners preserve agricultural land, minimize conflicting land uses, and promote soil and water conservation. By participating in the FPP farmers receive tax credits through the FPP of 1977 and the Farmland Tax Relief Credit of 1989. Farmland owners may be eligible to claim both credits. Rezoning parcels into AG-FP is beneficial to the property owner because it allows them access to the Farmland Preservation Credit Program.

The proposed rezoning of parcels into AG-FP is in compliance with the Brown County Farmland Preservation Program and with new state conservation standards under Chapter 91 Wisconsin Statutes. Expanding the AG-FP zoned parcels is in keeping with goals set out in the Town's Comprehensive Plan.

It's important to note that 20 years ago there was a penalty for farmland to be removed from the FPP. This is not the case today, there is no penalty for removal from the program. This program also does not include non-conforming lots.

To claim tax credit:

1. You must be the landowner. You do not need to be the farm operator.
2. You must be a Wisconsin resident.
3. Your land must have produced \$6,000 gross revenue in the past year or \$18,000 gross revenue in the past 3 years.
4. You must obtain a certificate of compliance to show soil and water conservation standards have been met.

The public hearing was opened by Chairman Phil Danen at 4:36 PM.

Nancy Middstadt, 2265 Scray Hill Road – Inquired on the acreage needed to claim the credit. Staff responded a minimum of 35 acres aggregate is required, the property must meet the income requirement, and not be included in the sewer service area. Being included in the FPP does not preclude the landowner

from doing with their land what they want; it's a program that will allow them to get tax credit as long as the land is in the FPP.

Dennis Lotto – 4176 Elmview Road – Wanted to know the difference between AD-2 Zoning and AG-FP.

The Agriculture-Farmland Preservation district is intended to preserve productive agricultural lands, open space, and natural areas in the long-term. This land use category focuses on lands actively used for farming and/or with productive agricultural soils and topography conditions for farming. This category may also include cropland/pasture, and farm buildings and accessories. The Town participates in the Brown County Agriculture-Farmland Preservation Program. This designation is intended to preserve productive agricultural lands in the long-term, protect existing farm operations from encroachment by incompatible uses, promote further investments in farming, and maintain eligibility for farming incentive programs.

This district allows agricultural uses and single-family residences to preserve and protect rural areas of the Town that have agricultural value, but which are also suitable for rural estate living. There is a minimum acreage of 10 acres and is only allowed to subdivide 3 times with a minimum of 2 acres lots.

Mr. Lotto asked is Concentrated Animal Feed Operations are allowed in AG-FP zoning. Only through a conditional use permit.

Joan Pansier, 3870 Dickinson Road – Wanted to know what the conditional use permits were for AG-FP. Staff read them aloud from the ordinance, and the ordinance was also put up on the big screens for all to see. Ms. Pansier inquired if the FPP had any correlation with being a CAFO. They do not. CAFOs require a conditional use permit under AG-FP zoning.

Paul Middlestadt, 2265 Scray Hill Road – Again reiterated that the FPP does not prohibit the land owner from developing, selling, or being removed from the program in the future. Staff confirmed this is correct.

After three calls for further comments, none was heard. Chairman Phil Danen closed the public hearing at 4:56 pm.

Board discussion: The Board thought that the FPP program was a positive program for the farming community. Zoning & Planning unanimously recommended approval of the rezone.

MOTION by Mark Danen/Van Rossum to approve the rezoned to Agriculture-Farmland Preservation (AG-FP) for the parcels listed on the agenda. No further discussion. Motion carried in a voice vote, 5-0.

ZONING & PLANNING:

1. Recommendation from Zoning & Planning on the proposed Project Plan Amendment and Territory Amendment No. 1 for Tax Incremental District No. 1 in the Town of Ledgeview, Brown County, Wisconsin.

Staff explained the public hearing for Project Plan Amendment and Territory Amendment No. 1 for Tax Incremental District No. 1 was held on Wednesday, September 12, 2018 at the Zoning & Planning Commission Meeting. After public comments were heard, The Commission unanimously approved the amendment in a roll call vote. A copy of the approved resolution was included in the Town Board Packets.

Tax Incremental District Number 1 Amendment No. 1 (TID No. 1 Amendment No. 1) in the Town of Ledgeview has been prepared in compliance with Wisconsin Statutes §60.23(32)(f) and §66.1105. The initial District is comprised of approximately 380 acres of land that creates the gateway for the northern entry into the Town

of Ledgeview and comprises the heart of the community at the County G/County GV intersection. This territory amendment will add approximately 56 acres to the District and extend the District eastward to Scray Hill Road.

MOTION by Geurts/Van Rossum to approve the recommendation by Zoning & Planning by approving the proposed Project Plan Amendment and Territory Amendment No. 1 for Tax Incremental District No. 1. No further discussion. Roll call vote: Geurts – aye, Van Rossum – aye, Phil Danen – Aye, Peltier – Aye, and Mark Danen – Aye. Motion carried in a roll call vote 5-0.

NEW TOWN FACILITIES:

There was discussion on the proposed electronic messaging sign to be used as the main identification sign of the new Community Center/Fire Station No. 1. The Board did not like the electronic messaging sign and preferred the identification sign to be lower to the ground than proposed with illumination shining towards the sign versus being backlite.

NEW BUSINESS: None.

OLD BUSINESS: None.

COMMUNICATIONS: None.

ORDINANCES: None.

REPORTS:

Administrator:

- A status update was given on the new building and the outstanding construction items.

Clerk:

- Confirmed with The Board the plans for the Open House and confirmed the date of October 23rd.

Engineer:

- Gave status updates on:
 - Zelten Family and Dollar Parks.
 - Heritage Heights and Grand Ridge Subdivisions.
 - TID #1 fill project
 - Scray Hill Road Improvement Plan

Planner:

- TID # 2 will be on the October 23, 2018 Meeting
- Neighborhood Center District Guidelines Book won an award

Treasurer:

- Working on the 2019 Budget
- Working on quarterly utility billing

Public Works:

- Update on Trestle Trail

Code Enforcement:

- Looking for feedback as to what is the next steps at 2020 Hawthorne Heights

APPROVAL OF THE VOUCHERS:

MOTION by Peltier/Geurts to approve the vouchers. No further discussion. Motion carried in a voice vote, 5-0.

CLOSED SESSION:

- 1. The Town Board may convene into closed session pursuant to WI State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises authority. The purpose is to make recommendation on 2019 employee salary and wages, and the hiring of a new Public Works Crew Member. The Board may then reconvene into open session to take action on items discussed in closed session.**

MOTION by Peltier/Geurts for the Town Board to enter into closed session pursuant to WI State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises authority. The purpose is to make recommendation on 2019 employee salary and wages, and the hiring of a new Public Works Crew Member. The Board may then reconvene into open session to take action on items discussed in closed session. Roll call vote: Geurts – Aye, Van Rossum – Aye, Phil Danen - Aye, Peltier – Aye, Mark Danen - Aye. MOTION carried in a roll call vote, 5-0. At 5:34 p.m. the Town Board entered into closed session.

MOTION by Phil Danen/ Geurts to reconvene into open session. No further discussion. Motion carried in a voice vote, 5-0.

At 5:54 pm, the Town Board reconvened into open session.

MOTION by Phil Danen/Mark Danen to approve the recommendations of the Personnel & Finance Committee related to the hire of Public Works Crew Member and 2019 employee wage and salary recommendations.

- 2. The Town Board may convene into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of reviewing Ledgeview Properties, LLC, Tax Increment District #1 Financing Application. The Board may then reconvene into open session to take action on items discussed in closed session.**

MOTION by Phil Danen/Mark Danen for the Town Board to enter into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of reviewing Ledgeview Properties Tax Increment District #1 Financing Application. Roll call vote: Geurts – Aye, Van Rossum – Aye, Phil Danen - Aye, Peltier – Aye, Mark Danen - Aye. MOTION carried in a roll call vote, 5-0.

At 5:57 p.m. the Town Board entered into closed session.

MOTION by Phil Danen/Van Rossum to reconvene into open session. No further discussion. Motion carried in a voice vote, 5-0.

The Town Board reconvened into open session at 6:02 PM.

MOTION by Mark Danen/Peltier to approve the recommendation of the Redevelopment Authority related to the TID #1 Financing Application. No further discussion. Motion carried in a voice vote, 4-0-1 with Phil Danen abstaining for any discussion or action on this item.

3. **The Town Board may convene into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of reviewing BASGIG Investors, LLC, Tax Increment District #1 Financing Application. The Board may then reconvene into open session to take action on items discussed in closed session.**

MOTION by Phil Danen/Mark Danen for the Town Board to enter into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of reviewing BASGIG Investors, LLC, Tax Increment District #1 Financing Application. The Board may then reconvene into open session to take action on items discussed in closed session. Roll call vote: Geurts – Aye, Van Rossum – Aye, Phil Danen - Aye, Peltier – Aye, Mark Danen - Aye. MOTION carried in a roll call vote, 5-0. At 6:04 p.m. the Town Board entered into closed session.

MOTION by Phil Danen/Van Rossum to reconvene into open session. No further discussion. Motion carried in a voice vote, 5-0.

At 6:14 p.m., the Town Board reconvened into open session.

MOTION by Geurts/Peltier to approve the recommendation of the Redevelopment Authority related to the TID #1 Financing Application. No further discussion. Motion carried in a voice vote, 4-0-1 with Phil Danen abstaining for any discussion or action on this item.

4. **The Town Board may then reconvene into open session to take action on items discussed in closed session.**

See closed session minutes above.

ADJOURNMENT:

MOTION by Phil Danen/Geurts to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 6:15 p.m.

Charlotte K. Nagel, Clerk
Town of Ledgeview, Brown County, WI