

TOWN OF HORTONIA
Minutes of monthly Town Board meeting July 13, 2010

Pledge of Allegiance recited. Meeting, called to order by Chairman John Jaeckle at 7:00 pm, had Board members Bob Luedtke, Nancy Willenkamp present; also present, Treasurer Marilyn Martin and Clerk Andrew Hogan. Ten others were present, including Plan Commissioners Dave LeMahieu, John Wiesner, Ryan Van Camp, Dave Ogilvie, Board of Appeals Chairman Dick Stauss, Town Attorney Rich Carlson, Building Inspector Jim Emmons, CSM Applicant Jim Clegg.

Board verified that public notice of meeting and agenda were posted at Town Hall, Fire Hall, Modern Flooring, www.townofhortonia.org, and Town's answering service 779-9780.

Luedtke motioned, seconded by Willenkamp to approve Board meeting minutes as posted. Carried.

Treasurer gave report. Luedtke motioned, seconded by Willenkamp to approve Treasurer's report. Carried.

Luedtke motioned, seconded by Willenkamp to approve Clerk's report. Carried.

Chairman noted summary of meetings attended through July 12 on agendas: Jaeckle (3), Luedtke (3), Willenkamp (1), Hogan (4), Martin (1), Clegg (1).

Carlson presented draft developer's agreement, incl. annexation clause, time flexibility on road construction and power to special assess developer, for River Rd. CSM proposal; affirmed Town will own road right-of-way upon approval of CSM; cautioned that agreement must be accompanied by legal description of CSM's perimeter adopted by official map amendment. Agreement facilitates the reservation of an intersection at River Rd and Hwy 15. Clegg fielded questions from Board about his CSM proposal. Plan Commission resolved to act on CSM proposal at their August [8/2, 6:30 pm] meeting so Board could act on Commission's recommendation at monthly [8/10, 7 pm] meeting.

Carlson updated Board on Esselman's latest motion before circuit court regarding Esselman v. Hortonia dispute over water course jurisdiction; Judge Gage to rule on July 16.

Jaeckle followed-up on Speed Watch program; noted Speed Board on County TT near Ledge Hill Rd.

Clerk reported on Sara Lee tax refund; noted Sara Lee's June 28th letter agreeing to refund of \$291,804.01 on September 1; Outagamie County Board to act on resolution [32--2010-11] authorizing payment of \$87,843 to Hortonia prior to 9/1/2010.

Jaeckle and Willenkamp reported on quotes and related input for Town Hall maintenance. Willenkamp recommended quotes be broken out to show roof, door and chimney subtotals, separately. Luedtke motioned, seconded by Willenkamp to postponed acting on Town Hall maintenance to next meeting, pending receiving remaining quotes.

Board sought input from Carlson on County's agreement as to delinquent special assessments & charges. Carlson deferred input pending clarifications from Outagamie Treasurer Dina Mumford.

Luedtke motioned, seconded by Willenkamp to adopt resolution R2010.7.1 Adopting Zoning Map and List printed June 29, 2010. Carried – 3 ayes, 0 nays.

Luedtke motioned, seconded by Willenkamp to adopt ordinance 02010.07.1 Relating to Confidentiality of Income and Expense Records. Carried – 3 ayes, 0 nays.

Jaeckle made appointments subject to Town Board approval: Dave Ogilvie replaces [resigning] Rick Martin on Plan Commission; Chad Karpf appointed to Board of Appeals as alternate. Luedtke motioned, seconded by Willenkamp, to accept appointments. Carried – 3 ayes, 0 nays.

Board discussed Plan Commission task list with Commissioners. Board directed clerk to provide Commissioners with materials specified by list. Carlson confirmed his review of Sander's land-division / subdivision ordinance was forthcoming.

Clerk reported that buoys were not procured for marking slow-no-wake zone. Upon Lee's passing, future of boat landing in question. Jaeckle motioned to let slow-no-wake ordinance remain for year, then revisit issue. Further discussion tabled.

Board discussed details of hosting July 19th Wisconsin Towns Association county unit meeting at River Rail in Shiocton; asked Carlson to attend to hear Treasurer Mumford's presentation.

Jaeckle reported on town roads maintenance status, including quote from county for 2" overlay of asphalt on Schultz road. Schultz to be resurfaced after current road loans are paid off. Board and Commissioners resolved to identify trees and brush that need to be removed from town road right-of-ways; inventoried by Van Camp, Willenkamp, Jaeckle and Co. Hwy. Dept. liaison Dan Nejedlo.

Jaeckle confirmed Town zoning ordinance identifies any land between a home and the road is considered front yard; zoning stipulates, "In any non-agricultural district, no detached accessory building shall occupy any portion of the front yard..."; Carlson proposed to resolve non-conforming structures by amending §1.06(3)(c) of zoning ordinance. Replying to Van Camp's inquiry, Carlson stated intent of §1.06(3)(c) is to prevent detached buildings from being constructed in front of the principle structure [house]. Emmons stated building plans label front, rear, left, right sides of house; proposed using said labels to define front yard. Carlson recommended 'minimum required front yard' (100ft) approach; will draft amendment options for Town.

Emmons recommended that Town incorporate NFPA standards such as proximity of tent to closest building when Town revisits fireworks ordinance.

Board reviewed summary of building permits: 2 issued last month: deck, addition.

Board discussed publishing of minutes; Jaeckle proposed money spent on publishing could be put to better use given availability of minutes on internet; Willenkamp proposed soliciting input from electors at annual meeting; Supervisors directed clerk to cut cost; abbreviate minutes; proposed publishing only actions taken.

Willenkamp motioned, seconded by Luedtke, for clerk to structure payroll month-to-month rather than meeting-to-meeting. Carried – 3 ayes, 0 nays.

Board heard from Craig Jordan inquiring about vehicles parked for days-at-a-time in road right-of-way. Chairman aware; temporary situation.

Willenkamp motioned, seconded by Luedtke, to pay the bills as printed. Carried – 3 ayes, 0 nays.

Meeting adjourned 9:34pm. Next regular Board meeting: Tuesday, August 10, at 7:00 pm.

These minutes are unapproved and subject to final Town Board approval. Respectfully submitted, Andrew Hogan, Clerk