Town of Rutland Board Minutes
February 8, 2023 -6:30 p.m.
This meeting held via Zoom and in person

1. Call to Order. Chair Deana Zentner called the meeting to order at 6:34 p.m.
2. Roll Call. Present were board members Chair Deana Zentner, Supervisors Nancy Nedveck, Sue Williams, Bob Postel and Mark Porter, Clerk Dawn George, and Treasurer Kim Sime. The complete attendance record is on file.
3. Recognition of Dennis Wendt. This item was rescheduled until the March meeting.
4. Tentative 2023 MIS racetrack schedule. The tentative schedule was reviewed with a fireworks permit requested for June 23rd and August 4th. A rain date for the June 23rd event would be August 25th. Gregg noted that there would be no events on June 30th and July 7th. Action on the license, schedule and fireworks permit will be on the March agenda.
5. Appearance by Lead Patrolman Wethal regarding various road issues:
    a. Discussion and possible action on changing the specs on the Bobcat purchase from wheels to track. MM2 by Nedveck/Porter to approve changing the new Bobcat from wheels to track at an additional cost of $7000; motion carried 5-0.
    b. Discussion and possible action on rental of grader for road reconstruction of Danks Rd. MM2 by Porter/Zentner to approve the rental of a grader at $3000 per week for use on the reconstruction of Danks Rd; motion carried 5-0.
    c. Discussion and possible action on request for bids for road reconstruction and seal coating. Patrolman Wethal recommended the following roads as candidates for seal coating: Lake Kegonsa (from Old Stage Rd to CTH A), Old Stage Rd (from Lake Kegonsa to Danks Rd), and Old Stone Rd (Lake Kegonsa Rd east to the bridge). Danks Rd will be reconstructed from Old Stage Rd north 4000 feet. The bid opening was tentatively set for March 3rd with board action to award the bids at the Board meeting on March 8, 2023. [Note: In order to meet state publishing requirements for the LRIP funding applied for, the dates were changed March 9th and March 16th.]
    d. Issuance of previously approved down payment to get on list for new truck. MM2 by Porter/Williams to issue the previously approved check to Peterbilt to get on the list to order a new truck motion carried 5-0.
6. Public Comment for items on or off the agenda. The following persons addressed the board:
    a. Joe Conant
    b. Paul Proctor
    c. Mary Celley
    d. Kent Knutson
    e. Henry Spelter

7. Plan Commission Report.

    1) Discussion and possible action on Revised Petition 11912 for Dorothy Johnson Estate to separate existing farmstead from farm and create 2 additional residential lots. Proposed rezoning of 5.7 acres located south of 1403 Starr School Rd. DC Public Hearing on December 13, 2022. Mike Rumpf brought a revised petition back to the PC members.

This petition is without the request for a Transfer of Development Right (TDR). Mr Rumpf and the Johnson family will address the TDR at a later date after the Town of Rutland looks into the Comp Plan for split availability. **PC action:** Sime motioned to recommend to the Town Board to approve Petition 11912 with adding that Randy Johnson is allowed to park his own Semi on Lot 2. Second by Conant. Leeser made an amendment to that motion that this will exhaust all Development rights on the Dorothy Johnson estate parcels. The amendment motion passed 4-0. Full motion passed 4-0 . **Board action:** Zentner moved to postpone action on Petition 11912; 2nd by Williams; motion failed on 0-5 vote; MM2 by Nedveck/Postel to accept the planning commission recommendation to approve the petition 11912 removing any language referring to the semi parking and adding deed restrictions indicating that all eligible splits have been exhausted on parcels 0510-024-9550-0 and 0510-024-8002-0 and prohibiting commercial development on Lot 2 of the proposed CSM.; motion carried 5-0.

**2)** Discussion and possible action on Petition 11919 by K&D Stone LLC to re-zone 7.78 acres fro, FP-1 to FP-35 Farmland Preservation Business District. The petition would bring existing legal non-conforming non-metallic mineral extraction site into conformance with current zoning ordinances. Property located west of 430 Center Rd. Leeser stated that he is recusing from this Petition. Sime stated that he is recusing as well. No Action taken due to no Quorum. **Board Action: The following Board members recused themselves: Chair Deana Zentner, Supervisors Sue Williams and Mark Porter. There was no quorum so no action could be taken.**

**3)** Discussion and possible action on CUP 2022-02582 by K & D Stone LLC to allow expansion of an existing non-metallic mineral extraction operation. Property located west of 430 Center Rd. Both Leeser and Sime stated that they are recusing. No Action Taken due to no Quorum. **Board action: Chair Zentner, Supervisors Porter and Williams recused themselves. No action could be taken aa there was no quorum.**

4) Discussion and possible action on Dane County ordinance amendment 2022 OA – 57 regarding application requirements and setbacks for communication towers. Ordinance OA-57 would incorporate the state allowance and establish a minimum setback from property lines equal to or greater than the height of a proposed tower. No Action Taken by either the Planning Commission or Board.

8. Meetings Attended.
    a. Zentner reported on the Dane County Regional Housing Committee meeting and also on the Dane County Towns Association meeting on the world of grants.
    b. Porter reported on the Oregon Senior Citizens work meeting.
    c. Nedveck reported on the WTA district meeting.

9. There was no Constable's Report this month.
10. Discussion and possible action on Employee Policy. MM2 by Nedveck/Williams to insert language in the Employee Policy to state that the Sick Leave cap does not apply to employees that have been employed for 20 years or more; motion carried 5-0.
11. Discussion and possible action on budget update. No action taken.
12. Consent Agenda.

a. Approval of January 4 & Jan 11, 2023, January 24, Board Minutes.,
b. Approval of Checks and Vouchers – Discussion/Board action.
c. Collection Center survey costs. -discussion and possible action. The board approved increased postage costs.
d. Approval of Treasurer's Report – Discussion/Board action.
MM2 by Zentner/Williams to approve the consent agenda as presented; motion carried 5-0.

13. Correspondence.
    a. Lake Kegonsa Bridge replacement – review 60% design and necessary board action. MM2 by Williams/Nedveck that the board concurs with the Strand recommendation to remove soil in direct contact with the creosote coated timbers; motion carried 5-0.
    b. Excavator & trailer joint ownership agreement. The agreement as previous agreed to was executed.
    c. Discussion and possible action on Cemetery data proposal. MM2 by Williams/Postel to authorize Allan Woodman to work on digitizing existing Graves cemetery records; motion carried 5-0.
    d. Discussion held regarding a potential meeting regarding the reconstruction of CTH A and replacement of the bridge over Badfish Creek.. The possible meeting would most likely be held in April.
14. Upcoming meetings.
    a. Active Shooter and Violence preparedness on March 1, 2023, at 6:00 p.m.
    b. The next Board meeting will be on March 8th.
15. Adjournment. MM2 by Nedveck/Williams to adjourn the February meeting at 8:45 p.m.; motion carried 5-0.

Respectfully submitted.
Dawn George, clerk