Town of Rutland Board Meeting –

785 Center Road, Stoughton, WI 53589
December 7, 2022 -6:30 p.m.
This meeting will be held via Zoom and in person

1. Call to Order. The meeting was called to order by Chair Zentner at 6:30 p.m.
2. Roll Call. Chair Deana Zentner, Supervisors Nancy Nedveck, Sue Williams, Mark Porter and Bob Postel. Clerk Dawn George and Treasurer Kim Sime also present. A quorum was present. The full attendance is on file.
3. Dane County Sheriff's Department Report/Review of Stats. Presentation by Deputy Jan Tetzlaff and Captain Kerry Porter. Tetzlaff presented stats for the past years as well as information on contracting for additional service.
4. Constable's Report. The constable report was received by the Board prior to the meeting.
5. Plan Commission Report.

   a) Discussion and possible Board action to approve 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. The revised petition added a fourth lot that use a TDR from other owned land in the Town that is not contiguous. Because of questions on whether the proposed land is developable and because of questions relating to the Comprehensive Plan, the Planning Commission took no action on the petition, deferring it to January.

   b) Revised Rezoning petition 11913 for David Norsman and Lisa Tway for property located at 1161 Hwy 14. The proposal is to rezone 2.756 acres from RR8 to HC (Heavy Commercial) for moderate environment-fitting cold storage, warehouse business. DC Public Hearing is on December 13, 2022.
   The Petition has been revised by removing single storage and changing the usage of the property. The PC recommended that the Town Board approve Petition #11913 as presented December 5, 2022, with the 30x80 and the 30x60 proposed storage units being permanent structures, with no Portable Storage Containers to be used on site plan. The planning commission recommendation to the board was approval of a 30' x 80' and a 30' x 60' permanent structure with no portable storage units as shown on the site plan of the revised application. Board action: MM2 by Nedveck/Porter to approve Petition 11913 as recommended by the Planning Commission; Supervisor Williams asked about adding a deed restriction prohibiting storage of hazardous materials; MM2 by Porter/Williams to add a deed restriction prohibiting storage of hazardous materials excluding common fuels or lubricants such as gasoline, diesel fuel, LP (small tanks) or lubricating oils and the record should note that there are two eligible homesites on the RR zoned property (original homesite and 1 split. Note: the original home burned down so there is currently no home on the property). The amendment was approved 5-0; the original motion as amended was approved 5-0.

   c. Request from Chuck Kerns (Bucky's Portable Toilets) to add a lean-to to the second phase of the site plan for property located at 1061 Hwy 14. This is an amendment to the current site plan. Kerns would like to build a freestanding lean-to at the east end of the existing 60x100 bldg., not attached. With an open side to the South.
   The Planning Commission moved to recommend the Town Board approve the amendment on site plan as presented on December 5, 2022, with the addition of a 32x112 lean-to and keeping the existing Deed restrictions. The recommendation also included a requirement that the lean-to open side will be facing to the south. MM2 by Williams/Nedveck to accept the Planning Commission recommendation to amend the current site plan to allow the 32' x 112' free standing lean-to; motion carried 5-0.

6. Public Comment for items on or off the agenda.
   1) Buck Sweeney presented the Board with a signed and recorded copy of a Declaration of Protective Covenants and Restrictions signed by Henry Spelter in 1990. In this document, Spelter agreed never to speak against the quarry. Sweeney is asking that everything that Spelter said at previous meetings be stricken from the record as Spelter is in violation of that agreement.
   2) Travis Leeser – would like to have a joint PC/Board meeting on procedural information on the difference between a rezoning petition and a CUP.

3) Derek Nedveck in support of Travis Leeser remaining PC chairman.
4) Ari Georgiades asked about the bridge replacement in 2023. (note: he was advised that the actual construction is not scheduled until 2025. The design phase is what has been mentioned on the agenda.)
5) Jodi Igl – Spelter document; PC transparency. -Board Decision. Bias issue should be public.
6) Jennifer Anderson – concern about current quarry operations.
7) Kent Knutson-sand being removed from quarry.
8) Gail Simpson – Why CUP off agenda.
9) Henry Spelter –Ordinance
10) Mary Celley Hamlet, Speed Study
11) Mary Knutson – wear and tear on road
12) Sharon Seffrood – Board should act on CUP's.
13) Scott Crews -the expense of wear and tear on roads.
14) Jennifer Whitman—nonconforming quarry
15) Barbara Sakrison-weight limit signs on Oak Ridge
16) Craig Hineline – Board of Review; CUP
17) Paul Proctor-money for road repairs
18) Jen Anderson – Board handle CUP's
19) Ari Georgiades-
20) Craig Hineline - found Starlink provides good internet
21)

7. New Town Hall presentation by Keller; discussion and possible action on fee. Devin (from Keller) gave a brief report.
8. Consent Agenda.
    a. Approval of November 2022 Board Minutes.
    b. Approval of Checks and Vouchers – Discussion/Board action.
    c. Approval of Treasurer's Report – Discussion/Board action.
    MM2 to approve the consent agenda as presented by Zentner/Williams; motion carried 5-0.
9. Correspondence.
    a. Assessor maintenance contract renewal.MM2 by Postel/Nedveck to approve the 3-year maintenance contract renewal at $6000 per year; motion carried 5-0.
    b. Lake Kegonsa Bridge replacement – review 60% design and necessary board action.
    c. Confirmation of new tractor loader lease. Deferred to January to allow communication with Strand regarding recommendation of the base and asphalt for the bridge approach.
    d. Discussion and possible action to approve the Brooklyn Fire Agreement amendment. The approval was confirmed, and the clerk and chair will sign the agreement.
    e. Report on landfill well monitoring tests. The clerk reported that there were no exceedances.

10. Reports on meetings attended by Board Members.
    .Mark – Oregon Senior Center.
    Sue-Brooklyn Fire
11. Upcoming meetings. Budget Hearing, Town meeting, Board meeting. will be held on December 15, 2022, beginning at 6:30 p.m. The Town Board meeting to interview applicants will be held on December 16, 2022, beginning at 8:00 a.m.
12. Set January Board meeting date. The Board will meet on January 4, 2023.
13. Adjournment.MM2 by Williams/Postel to adjourn the meeting; motion carried 5-0.
    Respectfully submitted,
    Dawn George, Clerk