

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:25 P.M. – 8:33 P.M. on Wednesday, November 6th, 2013

Town Office Meeting Room, 8348 County Road T, Larsen, WI 54947

I. Call to Order:

A. Notice Verification, Roll

1. Town Board Chairman Luebke called the meeting to order at 7:25 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Board of Supervisors

Chair Luebke	PRESENT
Supervisor Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Bowen	PRESENT
Town Planner – Jon Bartz	PRESENT
Town Engineer – Mary Jo Miller	PRESENT

II. Public Hearing:

A. Public Hearing before the Town Board on Resolution #2013-007 A Resolution Adopting a Wisconsin Department of Agriculture and Consumer Protection (DATCP) Farmland Preservation Compliant Zoning Code of Ordinances and Zoning Map for the Town of Clayton, County of Winnebago, State of Wisconsin.

- Town Planner Bartz advised on the history and future process of DATCP certification
- Reviewed the major and minor changes made to the Zoning Code of Ordinances
- Supervisor Lettau questioned the length of certification for the Town of Clayton Farmland Preservation versus Winnebago County's plan
- Town Planner Bartz advised of the recertification being necessary in CY 2023

Public Hearing closed without further comment at 7:36 P.M.

III. Approval of Minutes:

A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, October 16th, 2013.

MOTION:

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, October 16th, 2013

- IV. Open Forum – Non-Agendized Town-related Matters:
 - A. No Referrals

- V. Correspondence:
 - A. Fox Cities Chamber E-mail to the Town Administrator.
 - B. Wisconsin Towns Association Memorandum relative to the regulation of Non-metallic Mining by the State.
 - Supervisor Lettau requested this be added to the agenda for the next meeting
 - C. Memorandum from the County Zoning Administrator relative to the monthly Plan Commission Chairs meeting for CY 2014.
 - D. Correspondence from the County Highway Commissioner relative to the TRIP Grant Approval Process.
 - E. Winnebago County Solid Waste Management Board Monthly Report.
 - Supervisor Lettau reviewed
 - F. Wisconsin Department of Administration Final Estimate of the January 1, 2013 Population.
 - Chair Luebke advised the population estimate is 3,996

- VI. Discussion Items (No action will be taken.):
 - A. County Supervisor Report
 - 1. No Report
 - B. Winnebago County Sheriff's Department – Public Concerns and Issues
 - 1. No Report
 - C. Clayton-Winchester Fire Department at Winchester
 - 1. Chair Luebke discussed his article in the newsletter about a new fire chief
 - D. Larsen Winchester Sanitary District
 - 1. Mike Pfankuch advised of a special meeting for changes to parcels
 - 2. Budget hearing was tonight and the levy was left at \$1.75 per thousand
 - 3. Pumping of the cistern was discussed and it was estimated around 5,000 gallons with a fee of \$250
 - 4. The new solar bee is getting clogged up with rags (baby wipes) being flushed into the system
 - 5. Discussed setting up a meeting with Chair Luebke to discuss some sanitary district business
 - E. Administration Comments
 - 1. Engineer
 - a. Engineer Miller provided a project schedule for CY 2014 and CY 2015 Roadway improvements, Storm Water improvements, and Maintenance projects. Project status was briefly discussed
 - b. Advised Ridgeway Drive has been paved and just needs a final walkthrough
 - c. Fox Valley Asphalt project is expected to be complete by the end of November
 - d. Oak Openings project has all storm sewer installation complete
 - e. Chair Luebke confirmed the mailbox letters were sent out to Ridgeway Drive residents
 - 2. Administrator/Clerk
 - a. Administrator Johnston advised Treasurer Bowen has been given a quieter space to complete the fund accounting

- b. Discussed TRIP Grant from the County
- 3. Public Works Foreman:
 - a. No Report
- 4. Treasurer/Deputy Clerk:
 - a. Treasurer Bowen advised she is working on getting fund accounting done
- 5. Town Board:
 - a. Supervisor Grundman discussed the Breaker Ridge Subdivision meeting
 - b. Plan Commission meeting for next week is canceled

VII. Licenses and Permits:

A. New:

- i. Seth Steinway

B. Renewal:

- i. No Renewal Licenses Issued

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals:

- A. No Referrals

IX. Green Space – Town Board receipt, review, and consideration of Green Space Committee Referrals:

- A. No Referrals, The October Green Space Committee Meeting was **CANCELLED** due to the lack of a quorum.

X. Business:

- A. Discussion/Action: Town Board review and consideration of Resolution 2013-006 A Resolution adopting the Town Tax Levy and Transportation Budget as set by the Town Electors at a Special Meeting of the Town Electors and the Town's CY 2014 Budget as presented by the Town Board.

Attached please find a copy of Resolution 2012-006. The numbers and the vote from the Electors Meeting will be filled in by the Clerk following the Electors Meeting. The Board will then approve the attached Resolution to comply with the Town Electors Vote and set the Town's CY 2013 Budget as presented by the Town Board. This Resolution should be voted on by a Roll Call Vote.

MOTION:

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion to accept Resolution 2013-006 as presented

Motion carried by unanimous voice vote.

- B. Discussion/Action: Town Board review and consideration of Resolution #2013-007 A Resolution Adopting the Wisconsin Department of Agriculture and Consumer Protection (DATCP) Farmland Preservation Certified Zoning Code of Ordinances and Zoning Map for the Town of Clayton, County of Winnebago, State of Wisconsin.

Attached please find a copy of Resolution #2013-007 Adopting the Wisconsin Department of Agriculture and Consumer Protection (DATCP) Farmland Preservation Compliant Zoning Code of Ordinances and Zoning Map for the Town of Clayton, County of Winnebago, State of Wisconsin as well as a copy of the revised sections of the Zoning Code of Ordinances. The attached documentation reflects the changes to the Zoning Code of Ordinances required by DATCP to make the Town's Code compliant with the Department's regulations. This item will be forwarded to the Board by the Plan Commission at a Special Meeting scheduled to be held at 5:00 P.M. on Wednesday, November 6th, 2013. Once the Board has approved this Resolution the Document will be forwarded to the County for its final approval. Staff is trying to complete this process in short order so that local farmers will be able to collect Farmland Preservation benefits for CY 2013. Should the Board wish to proceed with this process, a motion would be in order to approve Resolution #2013-007 and to direct staff to forward the same to the County for its approval as soon as possible.

Rather than print the several hundred pages of revisions, they are available at the Town Office and at the meeting where Jon Bartz will be available for questions.

MOTION:

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Motion made to approve Resolution 2013-007 and to direct staff to forward the same to the County for its approval as soon as possible, pending the receipt of a certification letter from DATCP

- C. Discussion/Action: Town Board review and consideration of changing the signatory names for the Town of Clayton Sanitary District #1 bank account at Chase Bank to match the signatory officials on all other Town Bank Accounts.

It has come to Staff's attention that the Town's Sanitary District # 1 has a checking account at Chase Bank. It appears that the account was opened when Mr. Schroeder was Town Chair with Jeff Boe (Jeff) as a Commissioner and signatory to the account. Town Treasurer, Tori Bowen (Tori) contacted Jeff who agreed to meet at the local Chase Bank Office in order to access the account details (see attached). The Administration would like to have the Board authorize changing the signatory authorization on the account to match all of the other Town bank accounts. Specifically, staff would like to change the signatory authorization for the account to the Town Chair, the Vice Chair and the Town Treasurer. This arrangement will allow staff to access the details of the account and still maintain a degree of security for the account. The security for the account comes from the redundant signature requirement of the system. If the Board agrees with the Administration's request, a motion would be in order to direct staff to arrange the process and implement the change so that the authorized signatories to the account become the Town Chair, the Vice Chair and the Town Treasurer.

- Discussed the future for the funds

MOTION:

Motion made by unanimous consent to direct staff to arrange the process and implement the change so that the authorized signatories to the account become the Town Chair, the Vice Chair and the Town Treasurer

- D. Discussion/Action: Town Board review, consideration and direction to staff relative to applying the Town's Storm Water Management Utility Fee to Town residents who live within the Larsen/Winchester Drainage District.

Attached please find copies of material provided by the Town Attorney's Office. The attached documentation includes a memorandum from Attorney Rose Simon (Rose) explaining the legal status of the Larsen/Winchester Drainage District as well as a copy of a Petition to Transfer jurisdiction for drainage issues to the Town. As evidenced by Rose's memorandum, the process has little legal precedent. The Administration would like to discuss some of the options the Town has relative to the process. Specifically, staff is concerned about the appearance of trying to dissolve the Drainage District. Staff has discussed the issue and is recommending that the Town Board authorize the distribution of the attached petition to Town residents in the Drainage District under cover of a separate letter when the Town's Tax Bills are mailed. The question that needs to be resolved is: should staff levy the fee on the residents in question on this year's taxes? Direction from the Board on this issue would be greatly appreciated.

- Discussed the fee exemption for drainage district residents
- Discussed sending notices out and petitions

MOTION:

Motion by: Chair Luebke

Seconded by: Supervisor Schmidt

Motion to direct staff to apply the Town's Storm Water Management Utility Fee to Town residents who live within the Larsen/Winchester Drainage District

Motion carried by unanimous voice vote.

- XI. Upcoming Meeting Attendance
 - December 11th, Joint Fire Board Meeting
- XII. Board Member Requests for Future Agenda Items
 - A. Hiring public works employee
 - B. Performance evaluations
- XIII. Review of Disbursements
 - A. Disbursements
- XIV. Adjournment – 8:33 P.M.

MOTION:

Motion made by unanimous consent to Adjourn.

Respectfully submitted,
Jenna Prange, Administrative Assistant