

Town of Perry
Minutes of Town Board Meeting
Tuesday, October 11, 2005
Perry Town Hall

1. Call to order. Chairman Pat Downing called the meeting to order at 7:40 PM. Supervisors Larry Price and Roger Kittleson, Treasurer Judy Keller, and Clerk Mary Price were present. Also in attendance: Mark Haebig, Ed Sutter, Jack Mlsna, Mick Klein Kennedy, Linda Bluschke, Marg Berg, Ken Bartz, Alice Zander, Raymond Zander, Craig Bluschke, Darren Walker, Nick Meier, Gary Boley.
2. Minutes of Previous Meetings – September 6 and 8 and 26, 2005. Larry Price moved and Pat Downing seconded a motion to approve the minutes of the Town Board meetings held on September 6, 8 and 26, 2005 as amended. Motion carried.
3. Financial Report:
 - a. Treasurer's Report. Judy Keller presented the monthly Treasurer's report.
 - b. Pay Bills due. Larry Price moved and Roger Kittleson seconded a motion to pay the bills as approved by the Town Board. Motion carried.
4. Comments by Town residents.

Roger Kittleson requested curbside garbage pickup information.

Ed Sutter presented the Mt. Horeb Fire District budget and reported proposed increases due to fuel costs, insurance costs, and chief's salary. The District's annual meeting will be held October 26th. Larry Price moved and Roger Kittleson seconded a motion to authorize Town Board members who attend the Mt. Horeb Fire District's annual meeting to vote on the Town's behalf. Motion carried.

Obert Jelle presented the New Glarus Fire District budget and reported an increase, and presented the Driveway Inventory report.

Larry Price suggested that the Town Board consider a resolution on a future agenda to postpone action on applications submitted by any applicant who is in violation of County zoning regulations and Town ordinances.
5. Parks and Open Space – report and recommendations. Mick Klein Kennedy, Chairman of the Parks and Open Space Committee presented the Committee's report and recommendation that the Rustic Road designation for Lee Valley Road not be pursued further. Bill Schultz presented a petition signed by Lee Valley Road residents in opposition to the Rustic Road designation. Larry Price moved and Roger Kittleson seconded a motion to accept the report and recommendation as presented by the Parks and Open Space Committee. Motion carried.
6. WiDOT – Daleyville report; speed boards. Clerk Mary Price reported information received from Dep. Leslie Fox. A speed board might become available for the Town's use.
7. Land Use:
 - a. Permits, not requiring site views. Clerk Mary Price reported that no permit applications were received.

- b. Carol Larsen, 9593 Overland Rd., accessory bldg. Mick Klein Kennedy, Chairman of the Land Use Committee, reported the Committee's actions – to advise the Town Board that hoop structures should not be considered buildings as defined in the Town's Building Ordinance because hoop structures are not permanently affixed to the ground; and to recommend approval of the building permit application as submitted by Carol Larson, if the Town Board determines that the structure proposed is a building, at Site 1, or Site 2 on Choice soil with a variance allowed by the Building Ordinance's Section 1.07(2)(a) and (b) due to agricultural use. Larry Price moved and Roger Kittleson seconded a motion to determine that a building permit is not necessary for a hoop structure not permanently affixed, based on additional information submitted by the applicant. The Board discussed definitions in the Building Ordinance and Dane Co. ordinances. Motion carried. Roger Kittleson moved and Pat Downing seconded a motion to return the application fee to the applicant. Motion carried.
- c. Dean Vogel, 1271 CTH H, accessory bldg. Mick Klein Kennedy reported the Land Use Committee's recommendation to approve this building permit. Roger Kittleson moved and Larry Price seconded a motion to approve the building permit application submitted by Dean Vogel for an accessory building. Motion carried.
- d. Joe and Cindy Anderson, 1088 STH 78, garage setback variance. Mick Klein Kennedy, Land Use Committee chair, reported the committee's discussion and request for additional information which was not provided by the applicants. The Land Use Committee recommends that the Town Board deny the garage setback variance. Larry Price moved and Roger Kittleson seconded a motion to deny the garage setback variance. The Board discussed the safety concerns and the setback requirements. Motion carried.
- e. Jack Mlsna, River Fork Rd., rezoning, site plans, building permits, driveway construction permits, and land division. Mick Klein Kennedy reported that the Committee recommended approval of the amended application for land division, site plan, rezoning, and driveway to be constructed 366' from the west line, and the dimensions of the rezoned area to be shown on the certified survey map. Jack Mlsna presented additional information. Roger Kittleson moved and Larry Price seconded a motion to approve the land division, rezoning the building site to RH-1, site plan, building permit, and driveway construction permit. Motion carried.
- f. Andy Mlsna – Building Ordinance enforcement, access. bldg., approx. 1200 Perry Center Rd. The Board reviewed the application and the Board's actions to date. Larry Price moved and Pat Downing seconded a motion to issue a citation thru Municipal Court to Jack Mlsna for constructing a building without a permit as required by the Town's Building Ordinance. Motion carried.
- g. Sunset Ave. progress report. The Board reviewed the Street Contract and requested more information.
- h. Reports from Brian Bruenig, Dane Co. Zoning Inspector re: violations. Clerk Mary Price presented reports received from the Dane Co. Zoning Inspector.

8. Mt. Vernon Tel. Co./TDS – buried cable construction – Lee Valley Road. The Board reviewed the proposed construction. Larry Price moved and Roger Kittleson seconded a motion to approve the buried cable construction plan as presented by Mt. Vernon Tel. Co./TDS and request that the box site be aesthetically improved, i.e. shrubs. Motion carried.

9. Historic Commission – report and updates; appoint Commission members; discuss and clarify Commission's responsibility for improvements within Hauge Log Church Historic District. Commission member Darren Walker reported that the State Historical Society has approved the grant application to prepare submissions to the National Registry of Historic Places for four sites – the Town Hall, the Perry Lutheran Church, the Berg stone house, and the Daley house. Joe Hegland will meet with the Commission on Oct. 20th.
The Board reviewed a report submitted by the Commission, the Historic Preservation Ordinance and the Hauge Log Church Historic District Preservation Plan. Larry Price moved and Roger Kittleson seconded a motion to direct the Parks and Open Space Committee to submit the Hauge Park Plan to the Commission and to apply for a Certificate of Appropriateness. Motion carried.

10. Roads, Equipment, Facilities – Reports. Chairman Pat Downing reported that the blacktoppers were working the Town during the past week.

11. Dane County Towns Association report. The Board reviewed the Association's reports.

12. Adjournment. Roger Kittleson moved and Larry Price seconded a motion to adjourn. Motion carried. The meeting adjourned at 11:30 PM.

Respectfully submitted,

Mary L. Price, Town Clerk

Amended and signed November 10, 2005.