

Town of Perry
Minutes of Town Board Meeting
Tuesday, February 14, 2012
Perry Town Hall

1. Call to order. Chairman Pat Downing called the meeting to order at 7:30 PM. Supervisors Roger Kittleson and Mick Klein Kennedy, Treasurer Stephanie Zwettler and Clerk Mary Price were present. Also in attendance: Doug Nelson, Linda Nelson, Ken Bartz, Kath Kramer, Fred Smith, Mark Judd, Tammy Judd, Alice Yaeger, Mary Sherven, Verdean Sherven, Dwayne Iverson, Barrett Browning, Howard Klietzke, Fritz Mani, Reynold Anderson, Jack Mlsna, Jeff Anderson, Ken Hefty, Linda Bluschke, Joyce Powers, Brent Radke, Andy Mlsna, Glenn Reynolds, Ryan Oehlhof, George Sundstrom.
2. Minutes of Previous Meetings – Jan. 10, 2012. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve the minutes of the Town Board meeting held on January 10, 2012 as published. Motion carried. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to appoint Nancy Parsley as an Election Official for the term 2012-2014. Motion carried.
3. Financial Report:
 - a. Treasurer’s Report. Treasurer Stephanie Zwettler presented the monthly report.
 - b. Pay Bills due. The Board reviewed the invoices presented for payment. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to pay the bills. Motion carried.
4. Dane Co. Sheriff’s Deputy Mike Kitts requested questions. Linda Bluschke thanked the Sheriff’s Dept. for patrolling the Hauge Log Church District Park. Pat Downing requested that the speed board be placed in Daleyville.
5. Truck and Tractor bids. Chairman Pat Downing opened the bids submitted and announced each bid. Supervisor Mick Klein Kennedy will meet with Fritz Mani and Ken Hefty to prepare a bid analysis and to develop a recommendation for the Town Board’s consideration at a meeting on Monday, Feb. 27, 2012 at 7:30 PM.
6. Land Use:
 - a. Land Use Plan – adopt amendments. Chairman Pat Downing presented TDR easement clarifications received from Dane Co. Planning. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to hold a public hearing on Land Use Plan amendments on Tuesday, March 13, 2012 at 7:30PM. Motion carried.
 - b. Alliant Energy planned rebuild – Drammen Valley Rd. The Town Board reviewed information submitted by Alliant Energy and landowners. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to

approve Alliant Energy's 2012 rebuild plan in the Town's right-of-way along Drammen Valley Road. Motion carried.

- c. Mark and Tammy Judd, 616 Dead End Road – rezone area, septic site. The Town Board reviewed a proposed alternate septic site outside the proposed rezone area. The Town Board affirmed the previously approved septic site within the proposed rezone area.
- d. Joyce Powers, approx. 9695 Overland Rd., soils map correction. The Town Board reviewed correspondence received from Kevin Connors, Director, Dane County Land and Water Resources Dept. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to accept the changes to the soils map on parcel 050601185013 as described by David C. Roberts, Soil Scientist and confirmed by Kevin Connors, Director, Dane County Land and Water Resources Dept. Motion carried.
- e. Andy and Angele Mlsna, 1523 STH 78 – possible building permit violation. The Town Board reviewed the site plan and other information submitted by Andy Mlsna and Dane Co. Zoning Dept. and determined that the accessory building has not been increased and no building permit is required at this time.
- f. Consideration of DCTA proposed development ordinances. The Town Board will review at the March, 2012 meeting.
- g. Review draft - Dane Co. cell tower ordinance amendments. The Town Board is asked to submit comments to the Dane Co. Task Force by March 12, 2012.
- h. Resolution – DNR purchase 203 acres for SW WI Grassland and Stream Conservation area from Verdean and Mary Sherven, 784 CTH JG. Mary Sherven presented additional information. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to support Mary and Verdean Sherven's sale of 203 acres to the WI DNR for the Southwest Wisconsin Grassland and Stream Conservation area. Motion carried.

7. Comments by Town residents. Roger Kittleson noted Doug Nelson's TV appearances. Reynie Anderson suggested that septic systems should be allowed to be sited outside the RH areas of rezoned parcels. Joyce Powers indicated that Dane Co. is in the process of updating the soils maps.

8. Hauge Log Church Historic District Park update; legal cases contingency planning. Chairman Pat Downing reported information received from the Commissioner of Public Lands on the loan processes, and invited questions and comments. Barrett Browning presented a summary of an informal meeting

with Chairman Pat Downing and Town resident Doug Nelson. Ryan Oehlhof requested total legal costs to date. Clerk Mary Price provided total costs, grants and net costs to date. Atty. Glenn Reynolds clarified legal costs paid by the Town's insurance carrier. Fred Smith requested an update on the status of the former Voss parcel lawsuit. Atty. Glenn Reynolds reported the status of the case and information received from Atty. Walter Erbach to postpone the case indefinitely. Ken Bartz requested clarification of the potential outcomes of the Appeals' cases. Andy Mlsna asked if escrows would be required if the cases are appealed to the Supreme Court. Linda Bluschke requested information on Dane Co. Ordinance Chapter 75 and Atty. Glenn Reynolds reported that Chapter 75 requirements were achieved and affirmed by Dane Co. Jeff Anderson reported that no response was sent by the Town to Atty. Steve Morgan's letter requesting negotiation with the Town. Atty. Glenn Reynolds reported that the Town did respond with a request for mediation and Atty. Steve Morgan indicated that there was no interest in mediating. Doug Nelson advised that broader issues should be considered; that the Town undertook the process to create a park exclusively for a public purpose, funded with grants but the Town's adversaries were motivated by private purposes; and advised that the Town should not settle now but explore professional advice for contingency planning purposes.

Mick Klein Kennedy moved and Roger Kittleson seconded a motion to authorize Chairman Pat Downing to pursue contingency planning and obtain information for accounting options. Motion carried.

9. Hauge Log Church Preservation Association grant/application. Clerk Mary Price reported that the Hauge Log Church Preservation Association presented a grant to the Town in the amount of \$21,046.95 to subsidize the Town's costs to acquire the fifth parcel to complete the Hauge Log Church Historic District Park. A "Thank You" letter will be sent to the Association. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to direct Clerk Mary Price to prepare and submit a grant application to the Hauge Log Church Preservation Association for field road and other costs incurred to complete the Park. Motion carried.
10. Committee reports: Historic Preservation Commission. Clerk Mary Price reported that the Historic Preservation Commission held a meeting on January 26, 2012 and approved the Certificate of Appropriateness for signs proposed in the Hauge Log Church Historic District as required by the WI Stewardship Fund.
11. Roads, Equipment, Facilities – CDBG culvert contract, set Road Tour date, Recycling Center shed. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve the Perry Center Road culvert contract submitted by the Dane County Highway Department in the amount of \$139,000.00. Motion carried. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve the Perry Center Road culvert funding

contract as submitted by the Community Development Block Grant. Motion carried.

The annual Road Tour will be conducted on Saturday, April 14, 2012.

The Town Board discussed options to repair or replace the shed at the Recycling Center.

12. Discussion – possible Vacant Properties ordinance. The Town Board will review a model ordinance at the March meeting.

13. Announcements. The Town Board reviewed upcoming meetings.

14. Closed and Open Sessions. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to convene a closed session under WI Stat. 19.85 for the purpose of conferring with legal counsel. Roll call vote: Roger Kittleson, Yes; Mick Klein Kennedy, Yes; Pat Downing, Yes. Motion carried.

Mick Klein Kennedy moved and Roger Kittleson seconded a motion to reconvene to open session. Roll call vote: Roger Kittleson, Yes; Mick Klein Kennedy, Yes; Pat Downing, Yes. Motion carried.

15. Adjournment. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to adjourn. Motion carried. The meeting adjourned at 12:40 AM.

Respectfully submitted,
Mary L. Price, Town Clerk
