

Town of Perry  
Minutes of Town Board Meeting  
Thursday, November 11, 2010  
Perry Town Hall

1. Call to order. Chairman Pat Downing called the meeting to order at 7:40 PM. Supervisors Roger Kittleson and Mick Klein Kennedy, Treasurer Judy Keller and Clerk Mary Price were present. Also in attendance: Linda Bluschke, Margaret Berg, Ken Bartz, Mrs. Brian Outhouse, Sonja Luetschwager, Gerhard Luetschwager, Dan Michaels, Mary Michaels, Mark Rooney.
2. Minutes of Previous Meetings –October 12, 2010. Mick Klein Kennedy moved and Pat Downing seconded a motion to approve the minutes of the Town Board meeting held on October 12, 2010 as published. Motion carried.
3. Financial Report:
  - a. Treasurer’s Report. Treasurer Judy Keller 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.
  - c. Ordinance Assuming Responsibility of Treasurer – ongoing. The Board reviewed the Ordinance Assuming Responsibility of Treasurer as requested by the Dane County Treasurer. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to adopt the Ordinance Assuming Responsibility of Treasurer. Motion carried.
4. Land Use:
  - a. Dan and Mary Michaels, 9972 CTH A – building permit – deck. Clerk Mary Price presented the building permit application submitted by Dan and Mary Michaels for a deck. Dan and Mary Michaels presented additional information and photos. Mary Michaels requested notification to Dane Co. re: setback variance. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve the building permit application for a deck as submitted by Dan and Mary Michaels, 9972 CTH A. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to direct the Clerk to notify Dane Co. Zoning Dept. that the Town does not object to Dan and Mary Michaels’ application for a setback variance for a deck at 9972 CTH A. Motion carried.
  - b. Brian Outhouse, approx. 9745 CTH A – building permit – deer stand. Clerk Mary Price presented information received from the Dane Co. Zoning Inspector. Gerhard Luetschwager presented information and photos of a deer stand constructed on adjoining land and indicated his objection due to noise, adverse affect on property values, and size of the deer stand. Sonja Luetschwager indicated that deer hunting from that stand is not safe. Pat Downing presented information from Dane Co. Zoning,

the Town's Building Ordinance, and information from a meeting with Brian Outhouse. The Board reviewed the information and the photos presented.

- c. Land Use Plan amendments - updates. Clerk Mary Price reported the Land Use Committee is in the process of an ongoing review. Further potential amendments will be discussed at the next Land Use Committee meeting.
- d. Transfer of Development Rights program – updates. Clerk Mary Price reported the Land Use Committee is in the process of developing a program. Further potential program components will be discussed at the next Land Use Committee meeting.
- e. Agricultural Enterprise Area petitions program. Information will appear on the Town's website.
- f. Partition fence status – Russell Berg, John Willborn, Section 17. Clerk Mary Price reported that Russell Berg indicates that the fence is complete. John Willborn will be contacted to confirm the status of the fence.
- g. Dane Co. Ordinance Amendment 16 – A-4 Small Lot Agricultural District. The Board reviewed the ordinance amendment. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve Dane Co. Ordinance Amendment 16 – A-4 Small Lot Agricultural District. Motion carried.
- h. Dane Co. Ordinance Amendment 17 – Adult Entertainment Overlay District. The Board reviewed the ordinance amendment. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to approve Dane Co. Ordinance Amendment 17 – Adult Entertainment Overlay District. Motion carried.

5. Committee reports and appointments:

- a. Parks and Open Space - appointments, reports. Pat Downing indicated that Ken Bartz has volunteered to serve on the Parks and Open Space and has been appointed. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to confirm the appointment of Ken Bartz to the Parks and Open Space Committee to a term to expire June, 2011. Motion carried.
- b. Hauge Log Church Historic Park report; Historic Preservation Fund Subgrant Application; Hauge Park/Smith/Gehl fence.
  - 1. Historic Preservation Fund Subgrant Application. Clerk Mary Price presented the Historic Preservation Fund Subgrant Application as prepared by the Historic Preservation Commission to obtain funding

to update the Hauge Log Church Historic Site's listing on the National Register of Historic Places. Roger Kittleson moved and Mick Klein Kennedy seconded a motion to submit the grant application as prepared. Motion carried.

2. Hauge Park/Smith/Gehl fence. The Board reviewed fence options at the Hauge Park. Roger Kittleson moved and Pat Downing seconded a motion to appoint Mick Klein Kennedy to meet with David Gehl to develop an agreement for access points through the new fence, for Town Board approval. Motion carried.

6. Roads, Equipment, Facilities – reports;

- a. Verizon cell tower lease – transfer to Central States Tower LLC, construction. Atty. Mark Rooney presented information and options in the lease agreement to transfer the Verizon cell tower lease to Central States Tower LLC.

Roger Kittleson moved and Mick Klein Kennedy seconded the following motion: Per Section 22 of the Land Lease Agreement between the Town of Perry and Verizon Wireless Personal Communications LP dated September 10, 2009, the Town Board, consents to the full assignment of said lease to Central States Tower Holdings LLC (CST), contingent upon prior satisfaction of the following two conditions:

1. adequate proof that CST has the financial resources sufficient to meet the its obligations as assignee/lessee on an ongoing basis during the term of the lease.
2. adequate supplemental proof that the liability insurance currently carried by CST's prime contractor, Minnesota Towers Inc., will remain payable to the fullest extent of its limits, even if the insurers become insolvent.

7. Announcements. The Board discussed possible future agenda items. Pat Downing reported that the Dane Co. Towns Association will be publishing an update on weight limits on Town roads.

8. Adjournment. Mick Klein Kennedy moved and Roger Kittleson seconded a motion to adjourn. Motion carried. The meeting adjourned at 9:40 PM.

Respectfully submitted,  
Mary L. Price, Clerk

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