

April 16, 2013

Chairman Rickaby called the Annual Meeting for the Town of Saratoga to order at 7:00 p.m. in the town hall. All members were present. 85 residents attended the meeting.

The following people elected for a two-year term of the office for the Town of Saratoga filed Oaths of Office in effect for April 16, 2013:

Chairman – Terry Rickaby
Supervisor – Douglas Passineau
Supervisor – Patty Heeg
Clerk – Heidi Kawleski
Treasurer – Billie-Jo Kester
Constable – David Ryun

The Clerk read the minutes of the 2012 Annual Meeting. Dick Carrell motioned to approve the minutes as read. Roger Wilcox seconded it. Motion passed.

Next year's Annual Meeting as set by law will be April 15, 2014.

Attorney Paul Kent from Stafford Rosenbaum was present to update Town residents on current litigation and answer questions. He reported on the case that was just ruled on. The primary question was whether the Town Building inspector was required to issue building permits for the Golden Sands Dairy even though the Town enacted a moratorium that stopped the building inspector from issuing all building permits.

The judge ruled that the Town's building inspector had enough information to issue the building permits for 7 buildings. The judge made it very clear that the ruling was on the 7 buildings only.

The Town will have to decide if it would like to appeal the ruling on the building inspector. Mr. Kent said that the judge spent four months on this case making his decision, so it was not a clear cut case. After much discussion and questions by the residents, Rhonda Carrell made a motion to have the Town appeal the April 11, 2013 decision about issuing the building permits for the seven buildings if it is in the best interest of the Town. Roger Wilcox seconded it. Motion passed. 84 approved, 1 opposed.

Mr. Kent said that the citizens would have a chance to participate in public hearings the DNR would have for the state permits that the dairy would have to obtain. He said they could also express their opinions to the Town Board. He did state that anything sent to the Board would be considered as an open record that could be shared with anyone that requested the information.

Mr. Kent said that because of a recent ruling by the Supreme Court the DNR has broad authority to review the impacts from high capacity wells.

Mr. Kent also stated that there is a second lawsuit currently. The Wysockis are suing the Town along with each board member personally. The lawsuit is challenging the moratorium and the interim zoning. Because of the impending action the lawyers have asked the board members not to talk about the case to avoid unwanted legal ramifications.

Various residents asked specific questions regarding the legal process, the dairy and the Town's position.

The 2012 Financial Report was presented and explained. Forbes made a motion to accept the financial report as presented. Heeg seconded it. Motion passed.

The Board discussed spending more than \$5000 per mile of road in the Town for the Townline Road project that is to be done this summer. The project will be done jointly with the Town of Grand Rapids and the Village of Port Edwards. The Town of Saratoga would be responsible for 50% of the cost of the reconstruction. Our portion will be \$1,083,000. The Town did budget \$463,000 for the roads for the year. The Town would have to borrow 620,000 to finish the road. After the road is finished the Town would be reimbursed \$438,500 from a grant obtained from the State of Wisconsin. The Town would have \$181,500 borrowed for the road. The road will be a 2 year project. The Town will not fix a road in 2014 in order to pay the loan off in the same year. Bruce Dimick made a motion to approve the road project. John Davis seconded it. Motion passed with no opposition.

Passineau will contact the State contractor for the Hwy 73 and Hwy 13 project in order to get mailboxes moved for residents.

Weight limits should be off approximately the 22nd for the south part of the County and possibly a week later for the rest of the County.

There being no further business to discuss, Dick Carrell made a motion to adjourn the meeting. Wally Scholl seconded it. Motion passed. The meeting adjourned at 8:38 p.m.

Heidi Kawleski,
Clerk