

**Town of Ixonia  
Town Board  
Minutes  
August 13, 2018**

**1. Call to Order, Roll Call and Pledge of Allegiance**

Chairman Goetsch called the meeting of the Town of Ixonia Town Board 7:00 p.m.

Roll call was taken with the following in attendance: Chairman Perry Goetsch, Supervisor Brian Derge, Supervisor Carl Jaeger, Supervisor Peter Mark and Supervisor Jeff Taylor.

Also Present: Deputy Clerk/Treasurer Jodi Jaeger, Fire/EMS Chief Dave Schilling, Highway Superintendent Dennis Lillge, Park & Recreation Seasonal Andrew Beaudette, Attorney Stan Riffle and Clerk/Treasurer Nancy J. Zastrow

**2. Proof of Posting and Notice**

The agenda was posted at the Town Hall, Post Office and Ixonia Bank and published in the Watertown Daily Times and also posted on the website.

**3. Approval of Minutes – July 9<sup>th</sup> and July 23<sup>rd</sup>, 2018**

**Supervisor Mark moved, seconded by Supervisor Derge to approve the July 9<sup>th</sup> and July 23<sup>rd</sup>, 2018 minutes as presented. Motion carried.**

**4. Treasurer's Report**

- a) Presentation of Revenue and Expense Report for July 2018

**Supervisor Jaeger moved, seconded by Supervisor Derge to approve the Financial Report as presented and to place on file until Audit. Motion carried.**

**5. Jefferson County Sheriff's Department Report and/or Jefferson County Supervisor Report**

There was no one in attendance from the Sheriff's Department or the County Supervisor.

**6. Plan Commission**

- a) Discussion and Possible Action regarding a request by Ronald E. Hahm to create a 0.25 acre A-3 zone at W443 Madison Ave, in part of PIN 012-0816-2523-001

Supervisor Derge explained the Plan Commission unanimously approved the request by Ronald Hahm to create a 0.25 acre A-3 zone at W443 Madison Avenue as presented.

**Supervisor Jaeger moved, seconded by Supervisor Mark to approve the request to create a 0.25 acre parcel A-3 zone at W443 Madison Avenue for Ronald Hahm as presented. Motion carried.**

**7. Presentation by John Pernat – TAG Lane Farms regarding direct to field hose line in r-o-w**

John Pernat of TAG Lane farms gave a presentation on direct to field hose lines. He brought with him two sections of the hose that is used for this process. He stated there are different types of hoses used during this process. He explained if the town allows the direct field piping they would do a trial on farms west of their location in the vicinity of Gopher Hill Road and North Road. The farm has calculated there would be 950 less semi's traveling on Gopher Hill Road from the farm if allowed to utilize the piping system. Ultimately, they would like to begin using this method in the fall of 2018, but they would not begin until an ordinance or approval is received from the town. He also noted they will work with the Town Highway Superintendent to make sure the culverts will work for the project, they also need to apply with the DNR and they need to make sure the operator has enough hose for the distance they are proposing.

Supervisor Taylor asked how many pumps will it take to move the manure in the hose? Pernat responded one pump per mile depending on the slope. He said the first power unit will be on the farm and possibly the next would be in the vicinity of the McNutt farm.

Supervisor Jaeger asked about the pressure valves and the possibility of a blow out or break? Pernat responded the loss would be approximately 300-500 gallons before it would shut down.

Supervisor Taylor asked how long from start to finish? Pernat responded it depends how far they can go. They calculate they can remove 16,000,000 gallons in four days.

Supervisor Taylor asked if the pumps run 24/7. Pernat stated it could be if they still have a tractor in the field to spread.

Supervisor Taylor asked about the hoses in the r-o-w and culvert and what happens if we have a substantial rain, could that impede the flow thru the culvert? Pernat responded that it could be an issue.

Supervisor Taylor asked how long the hoses are? Pernat responded 1,000 feet and they would be coupled together, but the coupling cannot be in a culvert it must be visible at all times.

Chairman Goetsch asked how loud are the pumping units? Pernat responded he was not sure.

Supervisor Taylor asked about the current system used to spread manure. Pernat explained the current system is the use of a box on the side of the road. The town does not require a permit but the County does. He noted the county also tells them where they can place the box in the r-o-w. Supervisor Taylor asked if they have to get permits from the State for STH 16? Pernat stated the county has the authority to grant permission on the state road.

There were no other questions from the Town Board.

**8. Question and Answer regarding presentation on Direct to Field hose line in r-o-w – Questions**

Janet Foust – W993 Gopher Hill Road – She noted the proposed pipeline will go past her house. She proposes working with the Town Board and John to create an ordinance. She asked who was going to monitor the pipes. She asked about the times of operation and if allowed 24 hours this would be a noise nuisance. What if a spill – make sure the properties are protected. She noted many ordinances say can file in small claims to recover damages, she wants it written that TAG Lane would be responsible.

Mr. Pernat responded to Ms. Foust questions. He stated if allowed to utilize the pipeline the manure box would disappear. He stated the piping will go from the lagoon down the road to the hose in the back of the tractor. In regards to who monitors – the owner of the company has a foreman and he is responsible and drives up and down the road with a golf card all the while the piping is going on.

Ms. Foust asked if they contract with the company and do they make sure it works. She would like to go over the research on what has gone wrong and wants in writing before they can do this to protect them.

Attorney Riffle responded and said everything she expressed will be in the ordinance. Chairman Goetsch stated there is more control of manure in a hose than in a truck.

Sue Kaul – N9280 Gopher Hill Road – Ms. Kaul asked if the land across from her home would be utilized? Mr. Pernat responded they would like to go that way, but it will depend on how the ordinance is written and how it plays out legally. They would need to have a place to set-up and a lot of r-o-w, he noted he would not lay the hose by the cemetery or church. Ms. Kaul asked about the percentage of truck reduction? Pernat responded he did not know the percentage, but it would reduce about 1,000 trucks. Ms. Kaul asked if this would eventually be used in all of their fields? Pernat responded there are some areas where they would not be able to utilize this system. Ms. Kaul asked if when the manure is piped thru the hose is there any smell? Pernat responded no, it would only smell by the lagoon. He noted the ultimate goal of the farm is to not have to use the boat or stir the manure – to disturb as little as possible. Ms. Kaul ended with urging the Town Board to do their research to make sure this is safe for the neighborhood and the environment.

Matt Taylor – N8202 Pritchard Farm Road – Mr. Taylor stated they need to work together there are advantages with the reduced truck traffic. He is interested in helping draft an ordinance. He would like to see included language about composition, average life span, repair procedures, monitor flow rate, requirements of route change, what fluids and advanced notice for homeowners. He would also like the city to be made aware of the contractor situation.

Attorney Riffle responded that he would want a Letter of Credit filed. Mr. Pernat stated they will work with whatever the Town decides to adopt. He noted the route changes would be difficult to notify. The contract would be with TAG Lane Dairy and the DNR holds the authority for the license hauler. DR-Ag have their license with the DNR and if they violate the license they will be out of business. He noted the pressure loss of 30-100 psi on the flow meter would be a red flag.

Supervisor Mark asked about the repair of hose. Pernat responded they monitor and repair. They have approximately 3,000 – 4,000 feet of hose in the field when they are spreading.

Denise O'Halloran – N9246 Green Valley Road – Ms. O'Halloran clarified TAG Lane would be contracting with a company and if there was an accident, would the contractor be responsible? Pernat responded it would be joint effort because it would be their manure. He stated that currently Gallitz Excavating is on call if there are any problems during hauling. Pernat noted that TAG Lane hears the neighbors' concerns, if there is a blow-out it will shut down and they will do whatever is needed so no one is hurt. Ms. O'Halloran stated she wants the ordinance to make clear who is responsible.

Attorney Riffle stated the company that lives in Ixonia will take care of it.

Ms. O'Halloran asked about the smell issue? Pernat responded the ideal scenario is to be clean. Need to take positive steps to bring down smell. Ms. O'Halloran asked if the hoses will stay in for extended time? Pernat stated it will depend on the field and where it is going. It would be just certain times that it would be down.

Chairman Goetsch noted the model ordinance from the Towns Association says a week to 10 days.

Mary Frankiewicz – W719 Gopher Hill Road – stated she just came from another meeting regarding a hose that broke in the Town of Portland and flooded Martha Gays yard with 3-4 feet of manure. Pernat responded he is aware of what happened in this incident and that is one of the negatives – vandalism. He knows that the hose in this incident was not from wear and tear. Ms. Frankiewicz asked if there would be someone at every station. Pernat noted someone is at every pump from the company they contract with. Ms. Frankiewicz commented that it wouldn't be the farm workers from Mexico?

Janet McConaughey – N8144 LaSalle Circle - She stated she hopes the board looks at this as an opportunity to bring to factions together. To gather input from both sides in the first step in something positive.

Vic Karaliunas – W262 Hillendale Dr – He asked that the time the hoses would be in the r-o-w be limited and also be addressed in the ordinance.

Attorney Riffle stated it will be.

Supervisor Jaeger noted that when they are done pumping the hoses get rolled up. Chairman Goetsch stated that DR-Ag probably needs the hose at other locations.

Attorney Riffle stated everything would be on a case by case basis. And weather and other issues will be noted and addressed.

Trygve Aasen – N9293 Bartlain Court – He stated you are talking about a lot of manure, who decides how much can be put on the field. Chairman Goetsch responded this is regulated by the DNR and the town cannot override the DNR. The Town is pre-empted from regulating the manure application.

Supervisor Derge stated that at the last meeting there was concern about wells and water quality. He talked with a well driller and noted a well can be drilled 50' from the leach bed for sanitary systems on private property. He noted private septic systems have water every day going thru it and it can be much closer than 50' to private well. He thanked John Pernat for his presentation and answering questions from the audience and board.

There were no further questions or comments.

**9. Discussion and Action regarding advisory motions/matters from Town Annual Meeting**

a) Discussion and Possible Action regarding Transportation of Manure ordinance

Chairman Goetsch asked the board how they would like to proceed, do they want to have the Town Attorney draft an ordinance?

**Supervisor Mark moved that in the best interest of the town and its residents to have an**

**ordinance to allow manure piping as an option.** Supervisor Taylor stated he is lukewarm on the idea but is okay taking the next step, still some questions but will get rid of a couple hundred trucks. This is a stepping stone and is only for Ixonia. He noted the board can tweak the ordinance. **Supervisor Taylor seconded the motion.**

Supervisor Jaeger stated there has been a lot of discussion and complaints about the traffic and he feels if the town can cut down on traffic it is a win-win situation. Supervisor Taylor stated he would not like to have the pumps in his front yard. Mr. Pernat responded they would be considerate of the property owner. Supervisor Derge stated they spread by him and he didn't hear anything run or that the smell was objectionable and they stayed on the county road. Supervisor Jaeger noted that Ms. Foust had presented the board with a list of times the trucks were hauling and traveling on the road. He noted there are so many hard feelings and we are trying to work together and we do care. Information is based on facts.

Mark Schram – W1567 County Hwy CW – He asked if the route is already set. Mr. Pernat responded no, this would be up to the DNR and the Crop Specialist to determine which fields they could spread manure and how much.

Denise O'Halloran asked if when the ordinance is constructed could it be shared with their group. Attorney Riffle stated they would need to make an Open Record request for a copy of the draft ordinance.

Mary Frankiewicz asked would they be able to go across someone's yard? Attorney Riffle responded it would be in the public r-o-w and not private property. This does not meet the eminent domain requirements.

Supervisor Mark stressed the draft ordinance would be for any farm and not just for TAG Lane Farms, but any farms in the Town of Ixonia.

**Chairman Goetsch stated the board has a motion and second on the floor and asked if there was any additional discussion. Motion seconded 5-0.**

#### **10. Discussion and Action regarding 2018-2019 Operator License applications**

**Supervisor Taylor moved, seconded by Supervisor Derge to approve the Operator Licenses as presented. Motion carried.**

#### **11. Discussion and Action regarding Cigarette License Application for Ixonia Station, W1168 STH 16, Ixonia – Himmat Singh Dhillon, Agent.**

**Supervisor Jaeger moved, second by Supervisor Derge to approve the Cigarette License application for Ixonia Station – Himmat Singh Dhillon, Agent. Motion carried.**

#### **12. Update on repairs at Chivaree on Park**

Highway Superintendent Lillge gave an update stating the water leak in the kitchen appears to be caused by the vent fan. Staff is going to remove the fan and seal up the opening. The compressor for the walk-in cooler in the kitchen is not working. Staff is waiting for a response from the tenant and caterer to find out their projected needs for repair or replacement. He noted we had repairman out for the stove and warmer and both are working fine. The dishwasher works but the chemical/detergent will need to make sure is working properly. The pre-heater for the dishwasher is working. The cooler downstairs will need to be checked – they are not working properly. He also noted the Fire Suppression system is not up to date.

Supervisor Derge explained the furnace situation. He said that no one that he has spoken with said anything about the cracked air exchanger. He talked with a neutral HVAC person who has not seen the current equipment and he suggested placing a camera inside the heat exchanger to see what is going on and also to conduct a CO2 test. Supervisor Derge would like to have someone who has not worked on this system take a closer look at it. He noted he has sent in an application to WE Energies for upgrade for electric service.

Chairman Goetsch noted staff will keep working on these issues and bring reports back.

**13. Discussion and Action regarding extending hours of Park & Recreation Seasonal Employee to 1,199 thru the end of October.**

Supervisor Mark explained when the town hired Park & Recreation Seasonal employee Andrew Beaudette the board approved 1,000 hours. He is currently working 40 hours a week and will run out of hours by the end of September. Supervisor Mark is requesting the board to approve Mr. Beaudette up to 1,199 hours which will keep him under the 1,200 for WRS.

Chairman Goetsch asked if this is in the budget. Supervisor Jaeger responded the board budgeted and approved full-time for this position. There are funds available to cover the increase of hours.

Supervisor Jaeger moved, seconded by Supervisor Mark to approve extending the Park & Recreation Seasonal employee hours to 1,199 thru the end of October. Motion carried.

**14. Discussion and Possible Action regarding Assessor contract with Grota Appraisal, LLC**

Chairman Goetsch explained this discussion is a continuation from the Board of Review. During the Board of Review the Town Board was informed of the need for a re-valuation for the town. Assessor Mike Grota has presented a 3-year contract which includes a "Walk Around" Re-valuation for the town. The cost will be \$29,000 per year.

Supervisor Taylor asked if this will be worked into future budgets. Attorney Riffle asked that the wording be changed from Hartland to Ixonia. Supervisor Mark asked if the town should have received other bids. Attorney Riffle noted he does not see anything tangible and the state mandates the municipalities to keep the assessment ratio close to 100%, he is fine with not going out for bids.

Supervisor Derge moved, seconded by Supervisor Jaeger to accept the contract with Grota Appraisals for Assessor services for 2019, 2020, 2021 and 2022 including a walk-around re-valuation to begin in 2019. Motion carried.

**15. Discussion and Possible Action regarding creation of Fund Balance Policy**

Clerk/Treasurer Zastrow explained this is a recommendation from the Auditors to have a Fund Balance Policy on record. Attorney Riffle stated most communities have a 50% of annual expenditures as the policy. Discussion followed.

Supervisor Taylor moved to set the fund balance at 50% of annual expenditures and to adopt the Fund Balance Policy as presented. Supervisor Mark seconded the motion and carried.

**16. Discussion and Possible Action regarding creation of Financial Policies and Procedures**

Clerk/Treasurer Zastrow explained this is also a recommendation from the Auditors. They provided examples for the policy. Discussion followed.

The board would like a bullet point added to indicate the review of the monthly Check Register is done at the monthly meeting. The board would also like clarification on the 1099 reporting and who receives 1099's. Staff will double check with the auditors.

Supervisor Mark recommended bringing the policy and procedure back to the next meeting after receiving the proper clarification. No formal action was taken.

**17. Update on lawsuit filed by Sara Manzke against the Town of Ixonia – Attorney Riffle**

Attorney Riffle stated he does not know anything in addition to the materials in the agenda packet. He noted he will contact the Town Insurance Attorney Ted Waskowski to get an update. No formal action was taken.

**18. Fire Department:**

a) July 2018 Monthly Activity report for Fire & EMS

Chief Schilling noted that July has been a fairly busy month. He reported there was one mutual aid – MABAS call and that was to Sun Prairie for the explosion. There were no questions.

**19. Upcoming Meetings:**

Town Board Meeting – September 10<sup>th</sup>, 2018 @ 7:00 pm

Plan Commission – August 22<sup>nd</sup>, 2018 @ 7:00 pm

Recycling Committee Meeting – August 14<sup>th</sup>, 2018 @ 1:00 pm

Park & Recreation Committee – August 28<sup>st</sup>, 2018 @ 7:00 pm

Ixonia Fire Dept. Officer's Meeting – August 16<sup>th</sup>, 2018 @ 6:30 pm

**20. Motion to Adjourn**

Supervisor Mark moved, seconded by Supervisor Jaeger to adjourn the August 13<sup>th</sup>, 2018 Town Board meeting at approximately 8:40 p.m. Motion carried.

Respectfully submitted,

Nancy J. Zastrow  
Clerk/Treasurer