

**TOWN OF RHINE
BOARD OF SUPERVISOR'S MONTHLY MEETING
with Public Hearing
Tuesday, Sept. 5, 2017**

PLEASE NOTE: This meeting is a meeting of the Town Rhine Board of Supervisors in public for the purpose of conducting the Town Rhine business and is not to be considered a public community meeting. There is a time for public participation during the meeting which is indicated below.

GENERAL MEETING: Called to order at 6:31 pm by Ron Platz. All town board members were present.

1. **Compliance with Open Meeting Law:** Posted on August 29, 2017.
Published on August 23 and 30, 2017.
2. **Pledge:**
3. **Approve minutes of August 1, 2017:** Motion to approve by Zimmermann.
2nd by Feld. All in favor with no nay votes.
4. **Treasurer's Report:** Read into record.

Checking:	\$ 76,369.04
Money Market:	\$1,040,794.01
3 CD's totaling:	\$ 114,217.85
Cemetery:	\$ 2,962.45
Park:	\$ 2,368.53
5. **Building Permits for August:** Read into record.
6. **Public Comments:**

Shoreland Road - John Schott: He is representing ELIA. He expressed his gratitude for the town's support in keeping the lakes blue and is requesting the donation next year be increased to \$1000. Police services on the lakes have been split, but they have asked for more police patrol next year. A phosphorous remediation is being considered for next year, which would cost up to \$10,000. They are also looking at spending \$4,000 for weed removal in the lake bed. There may be additional water testing for quality control as well. Another \$2000 will be spent on a pipe scope. They may ask the town to look at additional funding to help in an area that might

need a culvert. His request is to increase to ELIA donation to \$1000 and set up additional funds for the Shore land Rd. area.

Zimmermann had comments on the culvert/pipe. He has a photo of the culvert. He agrees that he would rather not use the road embankment as a dam. Mr. Schott asked to speak with Frank later in the week to obtain a copy of the photo .

Platz asked if we updated the donation to \$1000 next year, when they would need additional funds for the other items that were mentioned. Schott said the county is still working on the plan, and this is the final stages of it. The drain tiles need to be repaired and replaced. Buffers will go on Shoreland Rd. on the East Side and buffers on the back side. That is the first part of the project.

There were no other public comments.

7. Discuss and possibly act on: (public hearing)

8. Discuss and Possibly Act on Recommendations from Planning Commission;

A. To consider the request of Craig Tennes and Bernie Reichert of N7950 Willow Road, Plymouth, WI 53073 (Parcel 59018256591) for a Conditional Use Permit to operate a dog training facility and kennel at the same location for up to 20 dogs. Property is zoned A1. The planning commission voted to approve this request for a CUP.

Public comments: None.

The board will review the proposed CUP. Platz gave a background explanation on the request. The zoning does allow for this, but a CUP needed to be obtained. He read portions of the proposed CUP into the record.

No more than 20 dogs shall be on the property at the same time. Proposed hours and terms of the CUP were reviewed.

Board Discussion on CUP: Todd Purkey expressed that everyone on the planning commission is in agreement that this operation should be permitted. After reviewing the CUP as drafted by legal counsel, he has no issues with it. Zimmermann expressed that he feels it is put together well. He sees no reason why it won't work.

Tiennes had a question on the hours. He asked to clarify what the hunting hours would be, and if they would follow the DNR's hours.

See page 2 in 8.2 operating hours: Applicant is fine with proposed shooting hours, but wanted to clarify hunting hours. In a hunting scenario, the hours could be a bit different, if allowed. Dirkse expressed the hunting hours should be clarified. The applicant gave

an explanation of different hunting hours depending on the type of prey. Platz had comments on the hours for hunting, and he doesn't think the town can restrict the hunting hours. The dogs are being trained to hunt, so the applicant has to follow the hunting regulations as set by the state of WI.

Zimmermann made a motion to approve the CUP as presented. 2nd by AL. Roll call vote: All in favor, unanimous vote with no nays.

B. To consider the request of Rhine Boarder Farm, LLC (Joseph Koenig) of W4741 County Road A, Elkhart lake, WI 53020 for a Conditional Use Permit to conduct a heifer raising operation at the same location. (Parcels 59018256640, 59018256581, and 59018256751) The planning commission voted to approve this request for a CUP.

Public comments: None.

Board discussion on CUP as drafted by attorney:

Platz expressed that the information presented by Rhine Boarder farms indicates they would be in compliance with state requirements. He remarked that the current zoning is in compliance. He reviewed the CUP as drafted, which would allow up to 950 animal units on the property.

Julie Stodolka: She suggested that the complete addresses and phone numbers of the owners of the LLC be provided and kept on file. Mr. Koenig and Mr. Dahm both will provide this.

Zimmermann reminded the applicant that if there is any road damage at any time, the farm owners are responsible for the cost of repairing them. He would like a courtesy call to the Town Chairman to let the town know the days they will be hauling and using overweight limit trucks. Platz explained that the town already has IOH regulations in place. ANY one hauling with overweight limits is supposed to obtain a state IOH hauling permit. There is no cost for this permit.

Purkey feels the planning commission meeting went very well. There were many questions asked and answered. Platz agrees. He expressed thanks for everyone's cooperation during this process.

A motion to approve by the CUP For Rhine Boarder Farms was made by Jon Rost. 2nd by Frank Zimmerman. Roll call vote: Unanimous votes in favor, no nays.

8. Discuss and possibly act on:

A. Joseph Bronoski - Request for Boundary Agreement

Bronoski first addressed the town with a request to annex, and the town discovered that it can't annex, but it can participate in a Boundary Agreement in conjunction with the Town of Plymouth. If both towns are in agreement with the proposal, then it can go to the Planning Commission.

The parcel is partially in the town of Rhine, part in Plymouth. The only way to make it one piece is for the towns to reach an agreement. The entire parcel is nonconforming. Some lot lines would need to be removed.

A CSM of the entire parcel would be generated by the applicant if both towns agree. After that, then they would work with the towns to do what is required. He is here tonight to discover if both towns are amicable to this kind of agreement.

The towns would each maintain partial jurisdiction of the lots, tax revenue would be split between the town. Rhine would have about 1 acre; the land in Plymouth is about 4 acres. The planned use is a 14 unit duplex development for Road America. The project would be similar to Motor Sports on 67.

Zimmermann had a question on the boundary line. Bronoski explained that the town of Rhine keeps its property. Access would possibly be split on the line which is now the common line, on the east side of the property.

Booher asked about the boundaries of the property. He wanted to know if they intend to hook into LEL sewer system or if they will have septic systems.

Rost does not have a problem in continuing the discussion if Plymouth is ok with the proposal. Platz explained that tonight's discussion is very preliminary.

Jon Rost made a motion to allow the process to go forward. 2nd by Feld. The next step would be to apply for a CUP with the planning commission. Roll call vote: unanimous votes; no nays.

B. Matthew Lueck- Rural Mutual Insurance - policy review

He provided a copy of the policy to board members and reviewed locations and coverage. Page one is a breakdown of the totals. We received a refund of \$2672 for the fire truck. Page two: reviews the locations and blanket coverage. He has a question regarding personal property and if it's too light. Right now is at over \$13,000.

Clerk can provide a general listing of town equipment and property so a higher dollar amount of coverage can be considered.

Zimmermann suggested raising the coverage on location 5. Agent explained you can't insure for asphalt. Vehicle coverage covers town vehicles, including personal cars, if they are being used for town work.

He then reviewed the work comp policy. There was an \$866 increase in this. This was due to clerical office employees' income increasing from previous year. The base rate is the same.

No further questions. Policy is paid through March 2018.

C. Joint Elkhart Lake/ Rhine Fire Truck Purchase of used aerial fire truck

A purchase of a 100 foot ladder truck is being considered for the Town and Elkhart Lake. There was a joint meeting last week between the village and the town supervisors. The fire department has found a used truck in Pennsylvania. At the joint meeting there was also discussion of repainting the truck. Chief Zorn spoke with Platz about this further. The purchase price is now at \$455,000.

A member of fire department clarified that there was a verbal agreement to lower the price to \$455,000. The fiberglass ladders need to be replaced. There is a cost to paint. So, the cost with the truck, ladders and paint would be approximately \$485,000. There is a 20 yr warranty on the body of truck. Platz remarked that new trucks cost between \$950,000 and one million.

Chief Zorn has confirmed delivery time frame would be approximately April of 2018.

Zimmermann expressed that he likes the existing color (green and gold). He thinks the color is outstanding and he feels it looks nice as it is. He feels that fiberglass ladders are heavier and safer. A member of the fire dept. said most local ladders are aluminum.

Purkey asked how adamant they are about repainting the truck to be the same color as their other trucks. Is it worth the money to repaint it? Fire department said it would be nice to have the fleet match, but it's not that important. Decals, etc. could be added to make it easier to see. Zimmermann asked if the cost to repaint could be used towards additional equipment instead. The department said they feel they could equip the truck with existing equipment. They are not sure if the front end can support adding the jaws of life feature on the front bumper.

Platz said he understands the point of repainting, but that might not be the most important need. The truck is being purchased for the aerial ladder. It is a major cost to both municipalities. The fire department said if it is repainted, that the Wisconsin company would paint for Wisconsin winters.

Platz said we are looking at purchasing the truck as is. Paint jobs, etc. are an additional item to be looked at later. A 30% down payment is required.

A motion to purchase the truck was made by Zimmermann. 2nd by Feld. Roll call vote: Unanimous. No nays. The village attorney will draft a contract for purchase, and it will then be reviewed by the town's attorney.

Chairman's info report: Budgets submitted by committees. Finance committee meets this week. He has been receiving complaints about the noise at Road America race track. Plymouth said there is a gentlemen's agreement that they would run between 8 and 6. The hours in the complaint were outside of these hours. There is no ordinance regarding the race track hours of operation/racing hours. Platz feels that Road America tries to work with the neighbors regarding noise.

9. Sub committee reports:

Zimmermann – roads. Work on Snake Rd. started today. Also, work will be done at the approach to the recycling center to make it safer. There is an issue on Badger Rd. with a culvert which is being repaired. Snake Rd between E and FF is being looked at for needed repairs as well

Rost - properties budget was submitted.

Feld - Lakes and Sanitation submitted a proposed budget as well.

10. Vouchers: Motion to approve by Zimmermann. 2nd by Feld. Unanimous vote with all in favor.

11. Next meeting date: October 3, 2017.

12. Adjourn: Motion to adjourn at 7:50 by Zimmermann. 2nd by Feld. No nay votes; all in favor.