

Town of Black Earth
Minutes of Town Board Meeting
Tuesday, June 6, 2023

1. Meeting call to Order. Town Chair Tom Turk called the meeting to order at 6:31 PM following the public hearing for the Land Use Plan amendments and Transfer of Development Rights program. Supervisors Don Ripp, Barb Parrell, Treasurer Brenda Kahl, and Clerk Stephanie Zwettler were present. Also in attendance: Steve Parrell, Al Schroeder, Dino Lukavackic, Heather Teale, David Lucey, Sharene Smith, Peter Wood, Raphael Ripp, Robert Sagmoen, Jason Handel, Krista Handel, Jason Anstice, Chris, Knipfel, and Pat Helmenstine.
2. Proof of Posting. An affidavit of posting was provided.
3. Approval of the Agenda. Don Ripp moved and Barb Parrell seconded a motion to approve the agenda. Motion carried. 3-0
4. Approval of Minutes of Previous Meetings – May 4, 2023. Barb Parrell moved and Don Ripp seconded the motion to approve the minutes from May 4, 2023, as presented. Motion carried. 3-0
5. Financial Report.
 - a. Money Market: \$305,068.55 Checking: \$160,292.59
 - b. Approval of checks written. Barb Parrell moved and Don Ripp seconded the motion to approve written checks numbered 12187-12208, including direct deposit paychecks. Motion carried. 3-0
6. Transfer of Development Rights program, amendments to Land Use Plan. The Town Board held a public hearing for comments on the Transfer of Development Rights program and Land Use Plan amendments. There were no comments presented. Town Chair Tom Turk closed the public hearing. The Town Board considered the amendments.

Barb Parrell moved and Don Ripp seconded a motion to adopt the Transfer of Development Rights program and amendments to the Land Use Plan, Chapter 3-10 of the Town Comprehensive Plan. Motion carried. 3-0
7. Plan Commission Report.
 - a. SRR Properties, 5076 Schultz Rd – zoning changes for (2) lots, from FP-35 to RR-4 and RM-16, and (1) lot from FP-35 to NR-C, DCPREZ-2023-11954. The Town Board reviewed the recommendation by the Plan Commission. Barb Parrell moved and Don Ripp seconded the motion to approve the zoning changes of 14.93 acres from FP-35 to NR-C, 21.31 acres from FP-35 to RM-16, and 7.9 acres from FP-35 to RR-4 on DCPREZ-2023-11954. Motion carried. 3-0
 - b. Pork-n-Pines Dairy, Inc, approx. 10500 Fesenfeld Rd – zoning changes for (2) lots, from FP-35 to RR-8 and RR-16, DCPREZ-2023-11956. The Town Board reviewed the recommendation by the Plan Commission. Barb Parrell moved and Don Ripp seconded a

motion to approve the zoning changes of 9.01 acres from FP-35 to RR-8, and 17.55 acres from FP-35 to RR-16, on DCPREZ-2023-11956. Motion carried. 3-0

- c. Heather Teale, approx. 10400 Midland Rd – driveway construction permit. The Town Board discussed the driveway recommendation as presented by the Plan Commission. Barb Parrell moved and Don Ripp seconded the motion to approve the driveway construction permit with a recommendation that a culvert be installed where the driveway meets the town road. Motion carried. 3-0
- d. Dino Lukavackic & Noely Pinedo, approx. 9730 Kahl Rd – driveway construction permit. Town Board members reviewed the recommendation by the Plan Commission. Don Ripp moved and Barb Parrell seconded a motion to approve the driveway construction permit with the requirement of a culvert installation at the end of the driveway where it meets the town road. Motion carried. 3-0
- e. Plan Commission vacancy, appointment. The Board reviewed the Plan Commission terms and vacancy. Town Chair Tom Turk appointed Pat Helmenstine to the Plan Commission to fill the vacancy on the Commission through April 2024. Barb Parrell moved and Don Ripp seconded a motion to ratify the appointment of Pat Helmenstine to the Plan Commission. Motion carried. 3-0

- 8. ATV/UTV Ordinance – review for possible adoption. The Town Board reviewed the draft ordinance. Don Ripp suggested including a time restriction. Robert Sagmoen from Badger ATV Club discussed the effects of time restrictions for deer hunting. Badger ATV Club will pay for all signage in the town and will work with the town patrolman on installation. Don Ripp moved and Barb Parrell seconded the motion to adopt the All-Terrain Vehicle Routes and Operation Ordinance, Chapter 15 as presented. Motion carried. 3-0
- 9. Patrolman’s Report. Patrolman Al Schroeder reported he has completed patchwork and is now mowing; rear brakes are needed on the Mack truck.

The garbage pickup quote from the Village of Black Earth at the town garage by Pellitteri Waste Systems is \$15.30/month. Barb Parrell moved and Tom Turk seconded a motion to approve garbage pickup service to be added to the utility bill from the Village of Black Earth. Motion carried. 3-0

- 10. Broadband internet service – update. Dane County Broadband Taskforce member Peter Weil provided a report of recent meetings. The taskforce will soon be adopting a series of recommendations to leverage influence and alleviate the situation in our areas. Peter Weil attended a listening session and voiced concerns to the PSC on the lack of funding; he recommends the town contact Charter for future collaboration.
- 11. Omitted property tax bill – court case update. Clerk Stephanie Zwettler provided an updated status of the court case.

12. EMS Board Report. Tom Turk presented a report of the recent EMS board meeting. Gary Herrop is the new president of the EMS Board; staffing remains a challenge; looking into outsourcing billing.
13. Fire Board Report. The next meeting is in July.
14. Convene Closed Session, under WI Stat. 19.85(1)(b) and (c). Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Barb Parrell moved and Don Ripp seconded a motion to convene a closed session to discuss employment, promotion, compensation, and performance evaluation per WI Stat. 19.85(1)(b) and (c). Roll call – Barb Parrell, Yes. Don Ripp, Yes. Tom Turk, Yes. The closed session convened at 7:03 PM.
15. Reconvene Open Session per WI Stat. 19.85(2). Barb Parrell moved and Don Ripp seconded a motion to reconvene the open session. Roll call – Barb Parrell, Yes. Don Ripp, Yes. Tom Turk, Yes. The open session reconvened at 7:50 PM.

Barb Parrell moved and Tom Turk seconded the motion to publish a two-week classified ad posting for the town patrolman vacancy in the Star News, Buyers Guide, and town website. Motion carried.
3-0

16. Discussion of future agenda items. Next meeting will be Thursday, July 6 due to the holiday; town patrolman position, broadband, omitted taxes.
17. Adjourn. Barb Parrell moved and Don Ripp seconded the motion to adjourn. Motion carried. The meeting adjourned at 7:55 PM.

Respectfully submitted,
Stephanie Zwettler, Town Clerk