

**TOWN OF MOSEL  
TOWN BOARD MONTHLY MEETING**

**TUESDAY, NOVEMBER 10, 2009**

**MINUTES**

- I. Call To Order and Verification of Meeting Duly Noticed.** Town Chair Dirk Zylman called the meeting to order at 6:30 p.m. at the Mosel Town Hall, W982 County Road FF, Sheboygan. Other Town officials present were Supervisors Dave Scharinger and Wayne Warnecke, Clerk-Treasurer Rachel Rehbein and Constable Mike Langland. Also present were Christine Gabsch, Ronald & Sue Vandoske, Peter & Yvonne Sanville, Elaine Wunsch, Russell Holschbach, Bob & Tara Vandoske, Richard Vandoske, David Wagner, Mike Scharl, Mike Pelzel, Paul Birschbach, and Jim Hodgell. Clerk-Treasurer Rehbein confirmed proper notice of the meeting.
- II. Public Input: Discussion only – any topic.** No one present offered public input.
- III. Approve Minutes from October 15, 2009 Monthly Board Meeting.** Motion Warnecke/Scharinger to approve minutes from October 15, 2009 Monthly Board Meeting; carried 3-0.
- IV. Public Hearing on a Conditional Use Permit: Bob & Tara Vandoske, W1823 County Line Road, Cleveland, Parcel #59014-180701.**
- A. Presentation of application to operate a boarding kennel for dogs.** Bob and Tara Vandoske would like to build a 58' x 28' building to operate a boarding kennel for dogs. Inside they would have 10-5'x10' kennels and 3-8'x8' kennels (room for 13 dogs). The 10 indoor kennels would have access to outdoor individual use. From the outdoor kennels there will be access to a 58' x 40' fenced in play yard. The building would face the west extending out to the east. The front entrance would be to the north with access doors on the south and north. There would be room to park vehicles in front of the building.
- B. Open Floor for Public Testimony/Clerk-Treasurer's Contacts.** Christine Gabsch was concerned with barking dogs and would like there to be a fence on the west side of property. Tara Vandoske stated she would put up a fence or trees if dogs' barking became a problem. Ellan Wunsch lives by San-Villa Boarding Kennels and has never had a problem with dogs barking. The Clerk-Treasurer received a phone call from Allen Gabsch who owns property to the east, that he is concerned about the barking dogs and that his son's (Mike Gabsch, property owner to the west) dog would get near the kennels. The Clerk-Treasurer also received a phone message from Elroy Yaeger, Zoning Administrator for the Town of Centerville, stating he had no problem with the dog kennel.
- C. Close Floor; Take Action Or Set Date To Do So.** Chair Zylman closed the floor. Motion Scharinger/Warnecke to grant a Conditional Use Permit to Bob & Tara Vandoske to operate a boarding kennel for dogs at W1823 County Line Road, parcel #59014-180701 with the following conditions:
1. Dispose of waste properly. It shall be removed from the kennels with pails and placed in an on-site sealed waste dumpster.
  2. Dogs should be kept under control at all times.
  3. No more than 20 kennels shall be allowed.
  4. The permit shall be reviewed in one year.
  5. Owners will make every effort to control the noise.
- Motion carried 3-0
- V. Rezoning Public Hearing: David & Vicki Wagner, part of parcels #59014-180720 and #59014-180840, N9540 Union Road.**

- A. **Presentation of Application to rezone 7.25 acres from A-1 Prime Agricultural District to A-2 General Agricultural District.** David Wagner stated he and his wife Vicki have sold their dairy cows and have decided to discontinue their farming operation. They would like to sell 130 acres of tillable land, but retain ownership of their house, dairy barn, sheds and land adjacent to the buildings.
- B. **Open Floor For Public Testimony/Clerk-Treasurer's Contacts.** Chair Zylman said that parcel #59014-180720 is in the Howards Grove School District and parcel #59014-180840 is in the Sheboygan School District. The CSM has the notation that Outlot 1 is shown as a separate parcel for tax assessment purposes, but that it shall be treated as part of Lot 1 for building, zoning and all other purposes and cannot be conveyed separately apart from Lot 1. No input was received at the public hearing. Prior to the hearing, the Clerk-Treasurer received a call from Carl Klessig of Saxon Homestead Farm. He was concerned that in the future the land could be used for residential lots. He would like to see it kept A-1.
- C. **Close Floor; Take Action Or Set Date To Do So.** After discussion, motion Scharinger/Warnecke to rezone the property at N9540 Union Road, a total of 7.25 acres, part of parcels #59014-180720 and #59014-180840, from A-1 Prime Agricultural District to A-2 General Agricultural District and combining the remaining four parcels into two parcels by school district; carried 3-0. Clerk-Treasurer Rehbein will contact Sheboygan County Treasurers Department to find out what needs to be done to combine the four parcels into two.

VI. **Certified Survey Map, David & Vicki Wagner, part of parcels #59014-180720 and #59014-180840, N9540 Union Road.** Following brief review, motion Warnecke/Scharinger to approve the certified survey map for part of parcels #59014-180720 and #59014-180840, N9540 Union Road as presented; carried 3-0.

VII. **Interview and possible action on new building inspector.** Paul Birschbach of Birschbach Inspections presented a proposal to the Board. Motion Warnecke/Scharinger to contract with Paul Birschbach of Birschbach Inspections as the Town's Building Inspector. Changes in the contract will be made by Paul Birschbach and final approval will be made by Chair Zylman and Clerk-Treasurer Rehbein; carried 3-0.

#### VIII. Old Business.

- A. **Discuss When Conditional Use Permits are Needed.** The Board was presented with a Commercial Listing from the tax roll. Chair Zylman pointed out there are several business on Playbird Road and Werthmann Lane that do not have conditional use permits. The Board would like the owners of the businesses that do not have conditional use permits to be contacted and have them obtain conditional use permits. Chair Zylman and Clerk-Treasurer Rehbein will begin work on this.
- B. **Temporary Sign Discussion.** It appears that Four Seasons Comfort LLC and Motor Propane Services, Inc. are in violation of the temporary sign ordinance. According to past Board Meeting minutes, Four Seasons was asked to remove their temporary sign back in November 2006 but Mike Pelzel of Four Seasons believed that was for a different sign. According to past Board Meeting minutes, Motor Propane was to be asked to remove their temporary sign back in May 2006. Russell Holschbach of Motor Propane said he never was told he was violating the ordinance. Motion Zylman/Scharinger to have Motor Propane and Four Seasons Comfort LLC be allowed to keep the temporary signs up until May 1, 2010; carried 2-0. Warnecke abstained due to his business relationship with Four Seasons and Motor Propane.

- C. **Update on “No Dumping” Sign at Transfer Station.** Chairman Zylman has not yet contacted Sheboygan County.
- D. **Playbird Road Sign Request.** The Sheboygan County Highway department has been asked to put up a Playbird Road sign. Constable Langland told the Board the sign was not up yet.
- E. **Rangeline Property non-conforming lot.** Rangeline Property’s lot has become non-conforming because of the round-about construction. A letter will be sent to Rangeline Property informing them they are grandfathered in because they were compliant before the road was changed.
- F. **Town of Sheboygan Well Letter.** Letters were sent to nine town of Mosel residents letting them know they need to contact Bill Blashka with any questions about new Town of Sheboygan well.
- G. **CD Rollover.** The \$240,000.00 7 month CD has been rolled over at Cleveland State Bank. It will mature 5/27/2010 with an interest rate of 1.75%. The interest from the old CD in the amount of \$3,312.23 has been deposited into the LGIP Dairyland Drive Fund.
- H. **NSF Follow-up.** Cleveland State Bank does not charge for NSF checks.

**IX. Public Works, Public Safety and Enforcement.**

- A. **Public Hearing on Conditional Use Permit Reviews Deferred from October Meeting:**
  - 1. **Jim Theodorff – Professional warehouse.** Constable Langland was unable to contact Mr. Theodorff regarding his weeds and outdoor storage. Deferred to December meeting.
  - 2. **Delores Gottsacker – Mini-warehouses.** Constable Langland was unable to contact Ms. Gottsacker regarding her long grass. Deferred to December meeting.
- B. **SSA-TAC/MPO (Sheboygan Service Area-Technical Advisory Committee/Metropolitan Planning Organization) Report.** Supervisor Warnecke reported to the Board that the proposed event only ramp on Rowe Road is on hold. An abutting landowner has filed a lawsuit against the State stating that the intended purpose is not dominate domain.
- C. **TRIP Application.** Chairman Zylman reported he would like the application to be for Garton Road from County Road Y east to I-43. The 2,480 foot section would cost \$46,000 to repair. The Town would have to match the grant. The County will be getting \$83,000 to be used for the grants. The two year plan would include Garton Road from Dairyland Drive east, Rangeline Road from Rowe Road to County Road FF, and Santana Drive. Motion Warnecke/Scharinger have Chair Zylman complete the TRIP application for Garton Road from County Road Y east to I-43; carried 3-0.
- D. **Sheboygan County Sheriff Department Joint Powers Agreement Discussion.** Chairman Zylman has signed the Sheboygan County Sheriff Joint Powers Agreement. The Board would like to have the Captain of Patrol come to a Town Meeting in January or February to address questions or concerns.
- E. **Ordinance and Permit Violations.** Constable Langland reported that garbage was dumped on County Road MM and an address was found in it. The Sheriff’s Department issued a citation to the addressee. The Board informed Constable Langland that in the future he should call the County to collect the garbage on County Roads. The Board also informed Constable Langland that if he needs to go to court in regards to the dumped garbage on County Road MM, the Town would reimburse his loss of income from his full time job. Constable Langland is keeping an eye on the temporary sign at Ardell Motors. A permanent sign should be going up soon. Constable Langland got a call regarding cars on private land that the owner wants removed. The Board advised Constable Langland that the owner should get the process going to legally remove them. Constable Langland got a hunting complaint from a hunter that other hunters hunting on the land he hunts on do not have hunting cards. The Board informed Constable Langland that he should only check for hunting cards if he gets a complaint from the landowner.

**F. Constable's Report and Log Review.** The Constable's log was reviewed and signed.

**X. Correspondence/Communications/Contacts.** Chairman Zylman met with Scott Anderson regarding the conditional use permit for the game hunting preserve. Kohler Co. would like to rent the future club house out when not in use to cover the cost of building it. The issue will be put on the December agenda. Chairman Zylman informed the Board that the Associated Appraisal postage bill was paid because it was stated in the contract. Buteyn-Peterson asked for copies of our Sheboygan County Highway Department bills to see if they could perform the snowplowing at a lower cost. Chair Zylman received a call from Lynn Pagel, the transfer station attendant, that the bins were almost full on Saturday (November 7, 2009). Supervisor Scharinger indicated that we have the largest bins and have no room for more bins. With the cost of garbage pickup going up, maybe more residents are bringing their garbage to the transfer station that didn't before. Supervisor Scharinger will contact Town of Herman Chair Jeff Sixel in regards to working with the Town of Herman. It was also mentioned the possibility of having the transfer station open more than two Saturdays. This issue will be put on the December agenda.

**XI. Financials:**

**A. Insurance Update.** Ridgeview was informed that the Town was not going with them anymore for insurance. Ridgeview send Supervisor Warnecke a list of how they felt they were a better insurance company. Supervisor Warnecke pointed out to the Board that with Rural we do not have Claims Made Insurance. If the Town would go with a different insurance company after Rural, and a claim was made when the Town was insured by Rural, Rural would not cover the Town. The cost of Claims Made Insurance would be \$1,000.00. The Board was given a list of the benefits of the Town for being a member of Farm.

**B. 2010/2011 Tax Collection.** Clerk-Treasurer Rehbein was informed by Laura Henning-Lorenz that in 2010-2011 the Town may need to collect their own taxes. Clerk-Treasurer Rehbein will keep the Board up-to-date on this.

**C. Review of Budget Hearing.** The agenda for the Budget Hearing and a copy of the 2010 Budget was given to the Board.

**D. Review Financial Reports.** The Financial reports were reviewed and filed in the Clerk-Treasurer's office.

**E. Review and Approve Voucher List.** Motion Warnecke/Scharinger to approve payment of all items on the voucher list, a total of \$21,239.64 as presented; carried 3-0.

**F. Building Permit, Conditional Use, Rezoning, and Variance Applications Report.** The value of the building permits issued October 1-31, 2009 were \$27,850.00. Total fees collected were \$130.00. The year-to-date total value is \$1,172,760.48. There were no Driveway Permits issued, no new rezoning applications requested, no new Conditional Use applications distributed and no new Variance Applications distributed.

**XII. Review Upcoming Calendar of Events.**

**A. 2010 Budget Hearing - November 12, 2009, 7:00 p.m.**

**B. Other.** December 9, 2009 Chair Zylman attending Heads of Government meeting and December 10, 2009 Supervisor Warnecke attending MPO meeting.

**XIII. Future Agenda Items: Discussion Only.** None.

**XIV. Adjourn.** Motion Warnecke/Scharinger to adjourn; carried 3-0. Meeting adjourned at 8:55 p.m.

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Dirk Zylman, Chairman

ATTEST:

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Rachel Rehbein, Clerk-Treasurer

Approved on December 8, 2009