

**Town of Somerset
Town Board Meeting Minutes
Wednesday, September 6, 2006**

Chairman Schachtner called the meeting to order at 6:35 p.m. with Steve Scheidler (Auditor). Present were Germain, Gunderson, Demulling, Plourde and Schachtner. The 2005 Audit Report was reviewed extensively. Meeting adjourned at 7:06 p.m.

Chairman Schachtner called the regular meeting to order at 7:08 p.m. Present were Germain, Gunderson, Demulling, Plourde and Schachtner. Motion by Gunderson, seconded by Plourde to approve the agenda. Motion carried. All members voted yes.

Clerk's & Treasurer's Report: Motion by Gunderson, seconded by Demulling to accept the August 2nd and August 10th meeting minutes. Motion carried. All members voted yes. Motion by Demulling, seconded by Plourde to approve the August Financial Report. Motion carried. All members voted yes.

Building Inspector Report: Motion by Germain, seconded by Plourde to approve the Building Inspector's Report with the request that Wert contact County Zoning on Riverside Ministries (previously Ristow building) Special Exception Permit status due to change in ownership. Motion carried. All members voted yes.

Resolution 2006-09 Swimming Pool Requirements: Wert suggested adding "or a lockable safety cover" to 2 (h). Motion by Demulling, seconded by Gunderson to postpone the adoption of Resolution 2006-09 until October meeting, pending legal counsel. Motion carried. All members voted yes.

Fire/Rescue Commission Report: Demulling read a report from Belisle on August activities.

Mutual Aid Agreement w/Somerset Fire/Rescue Dept., NR EMS and Star Prairie First Responders: Motion by Gunderson, seconded by Demulling to accept the Mutual Aid Agreement with Somerset Fire/Rescue, NR EMS and Star Prairie First Responders to provide coverage for the Highway 64 corridor to 100th Street. Motion carried. All members voted yes.

Repeal Ordinance 2002-01-Somerset Fire/Rescue Commission: Motion by Demulling, seconded by Plourde to repeal Ordinance 2002-01. Motion carried. All members voted yes.

Adopt Ordinance 2006-03 Somerset Fire/Rescue Department: Motion by Gunderson, seconded by Demulling to adopt Ordinance 2006-03. Motion carried. All members voted yes.

Review Ordinance 2006-04 Burning Regulations (Outdoors): Belisle suggested elimination of section III. (C). Board agreed. Seek legal counsel under section VIII (A) to add "Penalties not paid within 60 days will be assessed to the tax roll." Motion by Gunderson, seconded by Germain to table Ordinance 2006-04 until October meeting. Motion carried. All members voted yes.

Block Planter/Barricade-Front of Fire Hall: Schachtner and Demulling to work on this project.

Parks & Rec Report: Gunderson stated surveys have been tallied. Next meeting Oct. 2nd.

Old Business-85th St. Reconstruction Project: Project is progressing nicely.

New Business-Robert Irwin (Assessor) Cost of Re-Evaluation Contract: Irwin presented printout of sales. Assessment ratio will be around 72% for 2006. Much discussion on compliance with state

requirements and re-evaluation process. Motion by Plourde, seconded by Germain to start a full re-evaluation assessment in the fall of 2006 and accept the 3-year contract beginning January 1, 2007 of \$84,000 (\$2,333.34/per month for 36 months) from Robert Irwin with the 2007 Board of Review to be held in late August. Motion carried. All members voted yes.

Mark Cole-Request for 25' Variance from 133' Setback from 205th Avenue for Garage: Cole is on a corner lot with Highway 35 and 205th Avenue. Cole presented photographs outlining his hardship in meeting the setback requirements. Motion by Gunderson, seconded by Schachtner to approve the 25' variance from 133' setback along 205th Avenue for Mark Cole to construct a garage. Motion carried. All members voted yes.

Chad Schmit-Request for 36' Variance from 133' Setback from 210th Avenue for Shed: Schmit is on a corner lot with berm constructed from adjacent development. Schmit presented a diagram of his lot and hardship created by the extension of 210th Avenue from 62nd Street. Motion by Germain, seconded by Demulling to approve the 36' variance from 133' setback along 210th Avenue for Chad Schmit to construct a shed. Motion carried. All members voted yes.

Outside Water Hook-up for Old Town Hall: Topic to be discussed with Village Board at next joint meeting on September 28, 7:00 pm at Village Hall.

Appoint Patricia Morris as Election Inspector: Motion by Plourde, seconded by Demulling to appoint Patricia Morris as a new election inspector. Motion carried. All members voted yes.

Claim for Damages to Animals by Patricia Morris: Breure investigated incident and will need to sign claim form, which will be submitted to St. Croix County.

Discussion on Interviewing Engineering Firms for Needs Assessment Study: A special meeting will be set up to interview Stevens Engineers, Short Elliot Hendrickson Inc., Passe Engineering, Boonestro Rosene Anderlik & Associates and Ayers & Associates.

Off-Ramp at County Road I and Hwy. 64 Corridor-Official Mapping w/Village: Discussion; no action taken.

Comprehensive Insurance Deductible Claim for Hail Damage to Jeri Koester's Vehicle: Hail damage occurred to personal vehicle while attending an election training session August 24th in Roberts. Motion by Gunderson, seconded by Germain to approve payment of the \$500.00 deductible for hail damage to Koester vehicle while on official Town business. Motion carried. All members voted yes.

Planning Commission Report-Kevin Hansch-Special Exception Permit Request for Construction and Use of Commercial Building, Lot 2, CM & E Business Park: The building proposed will be 15,000 sq. feet with approximately 3,000 sq. feet intended for use as office space with 12,000 sq. feet for use as warehouse. Hansch intends to occupy 40% of the building, with 60% to be leased to similar small businesses with similar needs. Hansch will use the building for office space and storage of materials and equipment. Board reviewed lighting, landscaping plan, list of tenant possibilities, sample lease and parking spaces. Hansch would be responsible for the activities of the people who are leasing from him; therefore, Hansch is responsible for Special Exception Permit conditions/requirements being enforced. If the business violates the conditions of the lease agreement, their lease would be null and void. If ownership changes, the Special Exception Permit is not transferable and would have to be reissued. Board discussed this issue at length and specified that the regulation of additional businesses would be defined and controlled in the lease agreement. The Board consensus was to support the approval of prior businesses at this time. Motion by Plourde, seconded by Gunderson to approve the request for a Special Exception Permit from Kevin Hansch to construct a commercial building on Lot 2, CM & E Business Park with the following notations and conditions:

- List of Tenant Possibilities – Board supports prior businesses being approved at this time.
- Sample Lease Agreement to enforce that tenants abide by Special Exception Permit conditions.
- If ownership is transferred, the Special Exception Permit is void. New owner needs to go through Special Exception Permit process.
- Notation: This building is on a commercially zoned lot, less than ½ mile off of State Hwy. 35. Road access is through commercial area. There will be little negative impact to the surrounding area. Hansch has the power to enforce tenants through the lease agreement. He will not lease to businesses that do not comply with the list of tenant possibilities. Hansch is looking to rent to similar businesses as his own and will oversee the tenants to make sure they comply with the conditions of the Special Exception Permit. Any violators of the lease agreement shall have their lease terminated.

Motion carried. All members voted yes.

Meeting adjourned at 11:05 p.m.

Jeri Koester,
Clerk