

April 16, 2019

Chairman Rickaby called the Annual Meeting for the Town of Saratoga to order at 7:00 p.m. in the town office. All members were present. Due to the large attendance the meeting will be moved to the Town hall. Dan Forbes made a motion to adjourn the meeting at the office and move to the Town hall. Patty Heeg seconded it. Motion passed. The meeting adjourned at 7:01 p.m.

Chairman Rickaby called the Annual Meeting for the Town of Saratoga to order at 7:04 p.m. in the town hall. All members were present. Eighty-five residents attended the meeting. The meeting was noticed April 11, 2019

The following people elected for a two-year term of the office for the Town of Saratoga filed Oaths of Office in effect for April 16, 2019:

Chairman – Terry Rickaby  
Supervisor – Patty Heeg  
Supervisor – Douglas Passineau  
Constable – David Ryun  
Clerk – Heidi Kawleski  
Treasurer – Billie-Jo Kester

The Clerk read the minutes of the 2018 Annual Meeting. Sarajane Snyder motioned to approve the minutes as read. Helen Donahue seconded it. Motion passed unanimously.

The 2018 Financial Report was presented and explained. Bruce Dimick made a motion to accept the financial report as presented. Lynn Sawyer seconded it. Motion passed unanimously.

Next year's Annual Meeting as set by law will be April 21, 2020.

Bruce Dimick questioned the possibility of a solar farm coming into the Town. Rules and requirements at State and local level were discussed.

There was some discussion regarding changes in land use. Any changes in the zoning would have to be applied for and have a public hearing, so there would be citizen input. Lynn Sawyer questioned the DNR reports that have been done up to this point for Golden Sands Dairy. With the litigation, the processes were put on hold. Golden Sands would have to contact the DNR to start the process again.

Aaron Polchowski voiced his concern about houses being rented out cheaply which he said brings problems into the Town. Chairman Rickaby stated that if it was a problem with junk on the property, it could be given to the Town Constable. Other civil matters would have to be taken to the Wood County Sheriff's Department.

The road plans for 2019-2022 were reviewed. Plans are subject to change as needed.

- 2019
- a. Lexus Ln – Pulverize/New Paved Surface  
.5 Miles – From Young St. to the East - Pulverize, 3" of new base, 2" asphalt
  - b. Tower Rd – Pulverize/New Paved Surface  
From Deer Ridge Rd to 52<sup>nd</sup> St - Pulverize, 3" new base, 2" new asphalt
  - c. 50/50 Culvert Aid-48<sup>th</sup> Street at 5 mile creek- Culvert Replacement
  - d. Chip seal Church Avenue – Highway 13 to Hollywood Road
  - e. 15 dips

- 2020 a. Hollywood Road  
1 mile - Hwy 73 to the South - 3" gravel. Pulverize & overlay 2" asphalt
- b. Evergreen Avenue - 3" gravel. Pulverize & overlay 2" asphalt  
Hwy 13 to Hwy 73
- c. Ranger Road - 3" gravel. Pulverize & overlay 2" asphalt  
Sheila Lane to County Road Z
- 2021 a. Oak Street - 4" gravel. Pulverize & overlay 2" of asphalt  
1 Mile - Hwy 73 to County trunk U
- 2022 a. Kester Road - Reconstruction
- b. 50/50 Culvert Aid-64<sup>th</sup> Street at 5 mile creek-Culvert Replacement
- c. 50/50 Culvert Aid-Hollywood Road at 7 mile creek-Culvert Replacement

Paul Kent, the Town's attorney, gave a summary regarding the Golden Sands Dairy. The Town received the Building permit application in June of 2012. In November 2012, the Town enacted the Zoning Ordinance. The Courts have ruled that Golden Sands has vested rights to what he applied for in the building permit. Those vested rights stem from the building permit. If the CAFO buildings are not built then there is no vested rights to use the associated land for agricultural purposes. Meanwhile, the Town's Zoning Ordinance is in place and valid. Golden Sands land is now a non-conforming use that is limited. A non-conforming use cannot be modified or expanded, and can expire. It is the Town's position that Golden Sands building permit has expired, which includes the right to use land agriculturally.

If Golden Sands would choose to go forward with the CAFO as proposed in June 2012 there would be a 3-4 year process they would have to go through including DNR permits, Town Operating Ordinances, removal from MFL, and further litigation over vested rights.

If Golden Sands went through the entire process and did come into the Town, the Town has enacted measures to help protect town residents. Two ordinances have been adopted; the Livestock Operations (which includes enforcement of state groundwater standards) and Manure Storage Ordinances. The Town has also installed a groundwater monitoring network which has given the Town many years of base data and will notify us of any water changes.

If they would sell the land for other purposes, it would be subject to the Town's Zoning Ordinance.

According to the Town's zoning map, the Golden Sands properties are in either Rural Preservation or Rural Residential districts. Both districts have limited permitted and conditional uses that are allowed. Anything other the permitted or conditional uses would have to be approved by the Town.

Several questions followed. Rick Potter and Gary Matuszewski questioned the building permit and the Supreme Court stating that the building permit can expire. A building permit in the Town of Saratoga generally expires after two years. The Town has sent Golden Sands Dairy notice that their building permit has expired and they did not appeal.

Dan Carrell questioned why the Board would consider changing the zoning that is in place. Attorney Kent stated that if the Board receives a proposal that the Town agrees would be a valid use within the Town, there would be an option to change the current zoning.

Dick Carrell questioned whether land that was used for solar automatically reverted to agricultural land after the solar farm was taken out. Attorney Kent stated that the land would revert to what it was before it was the solar farm unless the Town decides to change it to agricultural land.

A resident questioned if the problems that Central Sands in the Town of Armenia impact the Town of Saratoga. Attorney Kent stated that it is a separate legal issue and doesn't affect Saratoga directly.

Rick Potter thanked the Board members for their public service to the community.

There being no further business to discuss, Bruce Dimick made a motion to adjourn the meeting. Sarajane Snyder seconded it. Motion passed unanimously. The meeting adjourned at 8:11 p.m.

Heidi Kawleski,  
Clerk