

**Unofficial Until Approved**  
Monthly Board Meeting and Public Hearing  
Town of Calamus  
March 9, 2004

**Called to Order:** at 7:07pm by Chairman John Kirchberg

**Present:** Chairman John Kirchberg, Supervisor John Kraus, Jr., Supervisor Lucille Miller, Treasurer Marian Haas, Clerk Marjorie Beilke

**Posting Verified** on March 5, 2004 at the Town Hall, Schultz's Cheese Haus, and United Cooperative, published in the Daily Citizen on March 6, 2004

**Minutes from the February 10, 2004 Board Meeting** were amended to read delinquent real estate taxes for Steven Lienke at \$2,433.99, not \$2549.62 and approved as amended with a motion from John Kraus, Jr., seconded by Lucille Miller.

**Treasurers Report:** The Treasurers Report for \$132,514.69 was approved as presented with a motion from John Kirchberg, seconded by John Kraus, Jr. A full report is on file.

**Floor was opened for questions or comments:**  
No response

**Agenda:**

**Discussion with Dave Kramer, agent for United Cooperative, regarding plans to replace fertilizer shed in South Beaver Dam:** Chairman Kirchberg opened floor for Mr. Kramer to explain the plans to replace an existing dry fertilizer storage shed on the corner of Iron Road and County Hwy D. Mr. Kramer stated that United cooperative has 2.6 acres on this corner and would like to tear down the existing storage shed, perform environmental soil cleanup and build a new shed that would hold 22,000 ton of dry fertilizer product. The proposed shed would be a width of 100 feet and length of 275 feet. Sides would be 18feet high cement and the roof would be shingled. It would be built to state standards to contain as much dust as possible; all unloading would be done under roof.

Mr. Kramer stated that the Railroad Commissioner and the Dodge County Highway Commissioner had no problem with the site line. He also stated that this proposal is partially in the Town of Beaver Dam and will require a variance from the Town of Beaver Dam because the shed is within the road setback lines. Concerns expressed by residents were increased truck traffic, and increased time the train would block the roadway while switching cars. Residents Randy and Lois Kurtz stated that currently Highway DE is blocked for 35 minutes when the railroad is switching grain cars, and asked what will happen when there are fertilizer cars too?

Mr. Kramer stated that there would be more truck traffic because they would be handling more product, but thought that because United Cooperative now owned track siding south to Highway 151, most of the switching would be done to the south of the storage shed, and this siding is figured to hold 70 cars. Chairman Kirchberg stated that this plan has yet to go before the Dodge County Board of Adjustment, and residents could express their concerns to the county at that time. Mr. Kramer stated that they hope to be on the April BOA meeting.

**Second and Final Reading Town of Calamus Ordinance 2004-1 "Use of Waterways":** Clerk Beilke read, in its entirety, the Town of Calamus "Use of Waterways" Ordinance 2004-1. Chairman Kirchberg opened floor for public comment: Delwyn Biel asked if this ordinance was drafted because of a problem. Chairman Kirchberg stated that there were complaints from the property owners on Lost Lake regarding the use of loud vehicles on the lake. Shelly Reynolds stated that she thought the ordinance was good, Carole Garczynski stated that because there wasn't a stated speed limit, the ordinance was okay. John Kraus, Jr. stated that this ordinance should cover any problems. A motion was made by John Kraus, Jr., seconded by Lucille Miller to adopt the Town of Calamus Ordinance 2004-1 "Use of Waterways" to be effective after

publication. Call of votes: John Kirchberg aye, Lucille Miller aye, John Kraus, Jr. aye, motion carried. Clerk is to publish notice in Daily Citizen.

**Town Hall and Cemetery Mowing for the 2004 Season:** A motion was made by John Kirchberg seconded by John Kraus, Jr. to employ Randy Kurtz at \$14.00 per hour labor and lease equipment at \$25.00 per hour for the care and maintenance of the town hall lawn and the Calamus Cemetery for the 2004 season. Call of votes: all aye, motion carried.

A motion was made by John Kraus, Jr., seconded by Lucille Miller to employ Ben Kmiec at \$10.00 per hour and lease equipment for \$25.00 per hour for the care and maintenance of Salem Cemetery and Bethany Cemetery for the 2004 season. Call of votes: all aye, motion carried.

**Set Date and Agenda for Annual Meeting:** The Annual Meeting for the Electors will be on April 13, 2004 at 7:00pm. Agenda will be to review annual report, discuss replacement of street name signs, discuss the building of a salt shed, set salaries for elected officials, and any other business deemed necessary by the town electors.

**Tabled Uniform Dwelling Code New Building Inspections:** The Home Safety Act signed into law by Governor Doyle will require a statewide building code for one- and two-family homes built since June 1, 1980 and will now require municipalities of population 2500 or less to provide for inspections. Because the Town of Calamus had previously adopted a resolution declining all enforcement of the UDC, we must now decide how the inspections will be performed. Options for UDC enforcement are 1) adopt an ordinance to begin local enforcement, 2) adopt an ordinance to enforce the UDC jointly with another municipality, 3) allow the county to inspect if the county currently provides inspections, or 4) do nothing, requiring the Department of Commerce to provide for the enforcement for the UDC within our municipality.

Because the town board can implement local enforcement of new home inspections at any time, a motion was made by John Kraus, Jr., seconded by John Kirchberg, to do nothing, thereby requiring the Department of Commerce to enforce the UDC within our municipality. Call of votes: all aye, motion carried. Clerk is to inform the State of Wisconsin Department of Commerce of the board decision.

**Report From Driveway Inspector:** Approved Driveway Permits for Roger Hauge W11883 Hwy D; and Roger Kaminski on Lark Road.

**Other Business:** Treasurer Marian Haas stated that there still was one outstanding delinquent personal property assessment for NMHG for the amount of \$213.94.

Chairman Kirchberg stated that he drove through the mobile home parks and found numerous Mobile Home Ordinance violations. It was tentatively scheduled for April 3<sup>rd</sup> for the board to view both parks.

Clerk is to write to Lost Lake Preservation Association regarding the damaged lawn after their fisheriee.

#### **Correspondence:**

Beaver Dam Community Fire and Rescue Association Treasurer Russell Kottke 2004 valuation for the Town of Calamus at \$32,705,817.00 or 11.30%, towns share of expenses for February meeting at \$1,469.00

Contract for Rural Fire and Rescue Service agreement between the City of Beaver Dam and the Town of Calamus and a contract for Rural Fire Service agreement between the City of Beaver Dam and the Beaver Dam Community Fire and Rescue Association for sections 1,2,3,4,9,10,11,12,13,14,15,16,21,22,23,24, 25,26,27,35,and 36 effective January 1, 2004

#### **Waddell of Columbus:**

Dated 2-20-2004 to Clerk of Court Ms. Lynn Hron enclosing Book of Ordinances

Dated 2-20, 2004 to Honorable Andrew Bissonnette, RE: Town of Calamus vs. Dioniso Zavala confirmation of adjournment

Dated 2-20-2004 Honorable Andrew Bissonnette RE: Town of Calamus vs., Jack Rueckert proposal of judgment

Dated 2-20-2004 to John Kirchberg RE: Town of Calamus Use of Waterways Ordinance

Dodge County Planning and Development notice of public hearing on March 15, 2004 at 7:00pm on the petition from Everett Reese, Jr., agent for John Wendorf to rezone land from the Floodplain Overlay District to the A-2 general Agricultural Zoning District located at N7253 Forest Road. Because the board is not aware of the reason for the rezoning request, clerk is to send back rezoning notification as a request to layover for further information

Dodge County Board of Adjustment notice of public hearing on March 18, 2004 on the appeal of Statz Custom Homes, agent for Paul Goetz for a variance to the terms of the Zoning Provisions of the Land Use Code to allow construction of a home and attached garage on a parcel that does not abut a public road at W9808 County Hwy G.

Wisconsin Department of Administration Demographic Services request for new homes built in 2003. (10)

Wisconsin Department of Transportation changes in Administrative rule to portions of Ch Trans 233, Wisconsin Administrative Code

Madison Area Technical College appointments made to the MATC District Board effective July 1, 2004

Wisconsin Towns Association March Report

**Bills:** for a total of \$27,208.41 were approved as presented with a motion from John Kirchberg seconded by Lucille Miller

**Next Board Meeting** Scheduled to follow Annual Meeting on April 13, 2004

**Meeting Adjourned** at 8:45pm with a motion from John Kraus, Jr., seconded by Lucille Miller

March 14, 2004

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Marjorie Beilke, Clerk