



Town of Vienna Web Site Address: [www.vienna-wis.com](http://www.vienna-wis.com)

September, 2020

## Partisan Primary Election Results

The Partisan Primary Election on August 11th had a total of 227 ballots casted. Overall we had about a 22% turnout which was lower than anticipated. This includes the absentee ballots which counted for 165 of the 227 votes. The following results provide an idea of how the Town of Vienna is voting.

Republican total votes - 58

Democratic total votes - 158

Constitution total votes - 1

For details of the votes by party and office, please go to our website under the Election tab.

## November 3, 2020 General Election

You may request an absentee ballot by mail at any time now through October 29th. The first day to early vote an absentee ballot in the clerk's office is Tuesday October 20, 2020. **In person voting hours are from 9AM to 3PM Monday thru Friday.** The last day to vote an absentee ballot in the clerk's office is Friday, October 30th until 5:00 p.m. If you have any questions about registration or voting in-person or by mail, please contact the office at 608-846-3800.

## Importance of Registering before the Election

Are you registered to Vote? Registering before the election is easy and a time saver for everyone. You don't have to wait in line on election day and then return to line once you have been registered to vote. Your name is in the poll book for identification purposes and proof of residency. Registration is made easy using MyVote online at [myvote.wi.gov](http://myvote.wi.gov) or file an application at the office. The last day to register online is October 14th.

## Road Projects in and around Town of Vienna

Due to COVID 19, many of the road projects planned for this year have started later this summer. We have been receiving numerous calls asking what roads are closed completely, what are the detour routes or when certain projects will be completed. **North River Road** has an anticipated completion date of November 2020. **County Road I** began construction on August 24th. They will be replacing culverts from Hwy 19 to County Road V. It is our understanding this work will begin at Hwy 19 and gradually move towards County Road V but there has not been a definitive timeline provided. **Schumacher Road** work began August 20th on the hill approaching Cuba Valley Road. Easy Street to Cuba Valley will be closed until September. **County Road DM** from the west limits of Morrisonville Road to the North County Line is scheduled to begin work in September through November. **Patton Road** is closed north of Oak Lane across the interstate. Local traffic will be able to get through on all these roads with the exception of River Road. As we receive updates, we will be sure to note them on our website.

## First September Meeting

Due to Labor Day Holiday, the first Town Board meeting in September has been moved from Monday, September 7th to Tuesday, September 8th at 7PM at the Town Hall. Also, the town office will be closed on Monday, September 7th and will resume regular business hours Tuesday, September 8th.

## Trash/Recycling Date Change

Due to the Holiday, our trash and recycling collection day has been moved from Tuesday, September 8th to Wednesday, September 9th. If you need a collection calendar, copies are available on our website under the community tab or in the town hall entrance way which is always open to the public.

## September Brush Site Hours

The brush site will be open on the following dates and times. Saturday, September 5th, 9AM to 2PM; Wednesday, September 9th, 4PM to 7PM. Also Saturday, September 19th, 9AM to 2PM; Wednesday, September 23rd 4PM to 7PM.

## Town of Vienna Board Minutes August 3, 2020

The regular meeting was called to order on Monday, August 3, 2020 at 7:00PM by Chair Jerry Marx. Supervisors Steve Ruegsegger, Ron Rupp, Gary Endres, Karen Noonan and Clerk Kathy Clark were present. Also present were Residents Shawn Haney, Sherri Meinholz, Lonny Hahn, Dave Hahn, Jack Wendtland and Dave and Quincy Midthun.

### **Pledge of Allegiance was recited**

**Public Comment:** None

**Approval of Minutes:** Motion by Ruegsegger, second by Rupp to approve the minutes for the July 20, 2020 town board meeting. Motion carried (5-0).

**Discussion and possible action on November 3<sup>rd</sup> Referendum regarding Solar Panels:** Clark informed the board that a request was made to add a referendum on the November ballot to poll the town electors on whether they are in support or opposed to the solar panel project planned in the Town of Vienna. This would be an Advisory Referendum so it is not binding. This is similar to the referendum on the November 2018 ballot regarding legalization of marijuana. Haney stated back in early March, Meinholz and Haney went to the state capitol and met with Representative Hesselbein and Senator Erpenbach staff to discuss solar projects and the lack of regulation in the State of Wisconsin. During the meeting, they were asked about the town's position so they planned on bringing this up at the Annual Meeting in April. With COVID, the annual meeting was moved to July with restrictions still in place for large gatherings so that never happened. On July 20<sup>th</sup>, Meinholz and Haney met with Rep. Hesselbein and Sen. Erpenbach and staff at the town hall. Sen. Erpenbach's district covers Iowa County where the Badger Hollow project is in progress. An advisory referendum would provide insight on the Electors position on this project. Haney provides examples of what the referendum could look like. Marx liked the examples presented and suggested to add a third option to the yes or no answer like no opinion as a choice. Rupp asked if there is a cost to the town to add this to the ballot and there would not be. The deadline to get this on the ballot is August 25<sup>th</sup>. Meinholz stated it would be a good way to reach most of the electors on this topic. Noonan asked if there is a map of where the panels are planned to be located and there is not. Marx asked if the 2,500 acres have been committed and they have. Endres asked what will be done with the results. Haney said the Senator would take the results to the PSC to show the electors position, review the process and find out how a location is determined. Haney raised the issue of the loss of tax revenue for the school districts. The land becomes exempt and a payment in lieu to tax would be paid to the town but not to the schools. Ruegsegger stated he would support adding a referendum to the ballot. Clark informed the board that any member involved would need to recuse themselves from the vote. Discussion on the wording and how to phrase the question so it's neutral and simple. Marx asked if this has to be decided now or can it wait until the next meeting. Endres suggested getting a better formed question in writing to present before approving. Motion by Ruegsegger, second by Endres to table the referendum question until the next meeting on August 17<sup>th</sup>. Motion carried (4-0) Rupp abstained.

**Operator's License:** None

**Town Supervisor Reports:** Supervisor Ruegsegger meeting with the DeForest Area Senior Center is scheduled for Tuesday, August 11th. Supervisor Rupp meeting with the Dane-Vienna Fire Department was held on Monday, July 27th. Rupp was nominated to President of the Fire Board. Supervisor Noonan meeting with Waunakee is scheduled for Thursday, August 13<sup>th</sup>. Supervisor Endres meeting with Waunakee Fire Department was held on Monday, July 27th. They are getting bids to replace Engine 1 as part of the equipment replacement plan.

**Town Clerk's Report:** Clark informed the board that there is a Plan Commission meeting on August 10<sup>th</sup>. Also, an on-site meeting was held with the Engineer and contractors and utilities to discuss the status of the Schumacher Road project. Charter stated they would need at least 90 days to relocate their fiber optic cable before the road work could begin. The line is a critical connection to a state line as well as several municipalities. There will be a meeting later this week to look at the options for the project like extending out the completion date, doing part of the road excluding the hill or waiting until next spring to do it all at once. Endres asked how deep the line is and whether it is necessary to relocate the line. The Engineer is going to follow up with the contractors to see how this impacts their timeline. The hill is the only section of Schumacher Road with Charter cable in the road right of way.

**Review and authorize payments of current town and utility bills, wages and expenses:** Motion by Ruegsegger, second by Rupp to approve the current town bills as stated in the amount of \$61,597.33; Payroll \$16,124.82; Town Bills \$18,867.46; Utility 1 \$15,719.59 and Utility 2 \$10,885.46. Motion carried (5-0)

**Adjourn:** Motion by Ruegsegger, second by Rupp to adjourn. Motion carried (5-0). Meeting adjourned at 7:52 PM.

**Prepared by:** Kathleen Clark, Town Clerk

**Note:** These draft minutes are subject to approval at the August 17, 2020 Town Board Meeting

## Town of Vienna Plan Commission Minutes Monday, August 10, 2020

The Town of Vienna Plan Commission meeting was called to order on Monday, at 7:00 PM by Chair Brian Meinholz. Commissioners Cate Heath and Supervisor Karen Ingalls attended via Zoom and Commissioner Koch teleconferenced in. Clerk Kathy Clark, Residents Jim Meier, Lori and Jason Jacoby were present. Commissioner Mallon was excused.

### **Recite the Pledge of Allegiance**

**Public comment:** None

**Approve the minutes:** Motion by Koch, second by Heath to approve the minutes for the May 11, 2020 Plan Commission meeting. Motion carried (4-0).

**Discussion and possible recommendation on Meier Rezone & CSM – 6005 CR V:** Meier was present and would like to split the buildings off his 40 acres parcel as a 5 acre Farmette to sell and keep the rest of the land for farming. Meinholz asked if the remainder of the land should be deed restricted. Koch asked about the town's smart growth and how much land would remain after the split. It would be about 33 acres for this parcel and a total of 74 acres for the farm. Koch asked about the property on the north side of Hwy V but that belongs to Meier's brother. Motion by Koch, second by Heath to recommend approval of the split and deed restrict the remainder of the 40 acre parcel. Motion carried (4-0)

**Discussion and possible recommendation on Jacoby CUP & Variance Application – 7368 WIBU:** This property is located in the Village of DeForest ETZ territory. The proposed shed would be 30X30 in size which exceeds the allowable size so a conditional use permit would be needed. Also, due to the size of the lot, a variance would be needed for setbacks. Koch asked about the use and whether it would be just residential use and it would be. A hoist would be installed this is just for a hobby use of renovating vehicles. Meinholz asked about the variance and how close to the road the shed would be. It would be about 16' from the road. Koch noted the staff report submitted by the Village of DeForest Zoning did not see an issue because the surrounding area was all agricultural with little chance of

further development. Motion by Koch, second by Heath to recommend approval of the building and setbacks as presented with the agreement is maintained for residential use, not to become a car repair shop. Motion carried (4-0)

**Adjourn:** Motion by Koch, second by Ingalls to adjourn. Meeting was adjourned at 7:15 PM

**Prepared by:** Kathleen Clark, Clerk

**Note:** These draft minutes are subject to approval at the next Plan Commission Meeting.

## **Town of Vienna Board Minutes August 17, 2020**

The regular meeting was called to order on Monday, August 17, 2020 at 7:00PM by Chair Jerry Marx. Supervisors Steve Ruegsegger, Ron Rupp, Gary Endres, Karen Ingalls and Clerk Kathy Clark were present. Also present were Attorney John Mitby, Dan Litchfield of Invenergy and resident Lori Jacoby via ZOOM. Aidan O'Conner and Kim Eagan of Invenergy were in attendance along with residents Shawn Haney, Sherri Meinholz and 20 other town residents signed in. A total of 6 residents were also present via teleconference.

**Pledge of Allegiance was recited**

**Public Comment:** None

**Approval of Minutes:** Motion by Rupp, second by Ruegsegger to approve the minutes for the August 3, 2020 town board meeting. Motion carried (5-0).

**Discussion and possible action on Meier Rezone Application & CSM-6005 County Rd V:** Meier was not present at the meeting. Meier would like to split the buildings off his 40 acre parcel as a 5 acre Farmette to sell and keep the rest of the land for farming. This was reviewed at the Plan Commission meeting on August 10<sup>th</sup> and recommended for approval. Motion by Endres, second by Ingalls to approve the rezone & CSM application. Motion carried (5-0)

**Discussion and possible action on Jacoby CUP & Variance Application-7368 WIBU Rd:** Jacoby is located in the Village of DeForest ETZ territory. The application to build a shed larger than the permitted use and the variance is in regards to the setbacks. This was reviewed at the Plan Commission meeting on August 10<sup>th</sup> and recommended for approval. However, a revised drawing for the location of the building was presented by Jacoby prior to the board meeting which moved the shed further back off the road and may require a second driveway. Jacoby spoke to the ETZ Zoning Administrator who did not see an issue with this revision. Endres asked about the first design that was presented and Clark explained Marx met with the property owners and discussed a better layout so the shed would not be so close to the road. Marx explained the first design was 26' from the edge of the blacktop road and the new layout would be 53' from the blacktop road. Motion by Endres, second by Ingalls to approve the Jacoby CUP & Variance application. Motion carried (5-0)

**Discussion and possible action on November 3<sup>rd</sup> Referendum regarding Solar Panels:** Invenergy Analyst O'Conner started with an opening statement on the advisory referendum. O'Connor stated it is his position that the proposed question is premature and pointed against the project. Invenergy does have land leases within the township but there is no formal proposal yet for the project. Due diligence is still in process and it will be another 6 months before an application can be filed with the PSC. O'Connor proposed 2 questions for the advisory referendum. One would read "Generally speaking, do you support or oppose using solar energy in order to reduce reliance on fossil fuels and traditional energy sources" and the second would be "Do you support or oppose having solar panels operating in the Town of Vienna". Haney stated the reason

for this and the purpose of doing it now is so information can be provided to our state representative and senator. Now is the best opportunity to get feedback from an election as the presidential election usually has the largest turnout. Ingalls asked Attorney Mitby if the questions should leave out the "Town of Vienna" in an advisory referendum. Mitby believes the advisory referendum is appropriate to do now since leases are already in place and this would be completed prior to going to the PSC. Mitby has dealt with several different sources on solar project, including UW Agricultural Dept., and there are issues that should be addressed early on. One major concern is the tax revenue loss for the schools and emergency fire and EMS districts. Invenergy Director Litchfield addressed the tax revenue concern and explained that the agreements with the local governments include "Payments in lieu of Tax" (PILOT) to make up for the loss of revenue. Litchfield explained this project is in the early stages but they would be willing to host more informative meetings to address any and all concerns as this proceeds. There is zero chance of eminent domain with the land owners and many of the crops are marketed to ethanol plants, another source of energy. Litchfield asked everyone let the process play out and not move forward on putting on an advisory referendum. Ingalls stated that an advisory referendum tends to mislead people and by the board supporting it they will lose the trust of the people. Most people will not look at it as an advisory but just see the word referendum and that could confuse this. Ingalls thinks it too early in the project and the board needs to get more information before polling the people. There are other ways to find this information from the public such as surveys. It is her opinion that this should not be on the ballot. Marx disagreed and felt this was the best way to get feedback from the public. Discussion followed. Motion by Ingalls, second by Endres to leave the advisory referendum off the ballot. Motion carried (4-0) Rupp abstained. Ruegsegger asked if this would be considered for the Spring Election when the approval would be needed. The date would be 70 days prior to the election so by February at some point the decision would need to be made.

**Operator's License:** None

**Town Supervisor Reports:** Supervisor Ruegsegger meeting with the DeForest Area Senior Center was held Tuesday, August 11th. Supervisor Rupp meeting with the Dane-Vienna Fire Department is scheduled for Monday, August 31st. Supervisor Ingalls meeting with Waunakee was held Thursday, August 13<sup>th</sup>. They hired a paramedic and the new ambulances have arrived and will be in use soon. Supervisor Endres meeting with Waunakee Fire Department is scheduled for Monday, August 31st.

**Town Clerk's Report:** Clark informed the board that the work on Schumacher started and the relocation of the last utilities has been completed. Work may begin this week but for sure by August 24<sup>th</sup>. Also, the next meeting falls on Labor Day so Chair Marx has moved it to Tuesday, September 8<sup>th</sup>.

**Review and authorize payments of current town and utility bills, wages and expenses:** Motion by Rupp, second by Ruegsegger to approve the current town bills as stated in the amount of \$41,373.59; Payroll \$5,491.13; Town Bills \$35,259.91; Utility 1 \$520.22 and Utility 2 \$102.33. Motion carried (5-0)

**Adjourn:** Motion by Endres, second by Rupp to adjourn. Motion carried (5-0). Meeting adjourned at 7:46 PM.

**Prepared by:** Kathleen Clark, Town Clerk

**Note:** These draft minutes are subject to approval at the September 8, 2020 Town Board Meeting

## **Vienna Town Board Meeting Agenda Tuesday, September 8, 2019**

The Vienna Town Board will meet on Tuesday, September 8, 2020 at 7PM at the Town Hall, located at 7161 County Highway I, DeForest, WI. The agenda for this meeting includes the following items:

Call the Town Board meeting to order

Recite the Pledge of Allegiance

Public comment

Approve or amend the minutes of the August 17, 2020 Town Board meeting

Discussion and possible action on Meier Rezone & CSM – 6005 County Road V

Discussion and possible action on Wipperfurth CSM – 5270 Norway Grove Road

Discussion and possible action on 2019 Compliance Maintenance Annual Report UD 1 & 2

Operator's License

Town Supervisor Reports

Town Clerk's Report

Update on Schumacher Road

ETZ Meeting September 14<sup>th</sup> at 6:00pm –WIBU Accessory Shed

Review and authorize payments of current town and utility bills, wages and expenses

Adjourn