

MINUTES ARE NOT OFFICIAL UNTIL NEXT SUBSEQUENT MEETING

**Joint Village/Town Negotiation Committee Minutes
December 19, 2011**

Meeting was called to order at 6:00 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins and Keith Seward. Absent: Gof Thomson. Village representatives present: Jim Salter, Kevin Budsberg and Dan Gartzke. Also in attendance: Louise Jillings and Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Dan Gartzke to approve the agenda as presented, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 11/22/11 Meeting: Motion by Kevin Budsberg to approve the minutes of 11/22/11, second by Bob Elkins. Motion carried.

Report: Village Board Approval of Amended MD Roffers Contract to Prepare Cooperative Boundary Agreement Document: The Village Board approved the amended contract with MD Roffers.

Report: Town Board Approval of Amended MD Roffers Contract to Prepare Cooperative Boundary Agreement Document: The Town Board approved the amended contract with MD Roffers.

Estimate for Stormwater Management Engineering: Administrator Owen reported that he has received an estimate from Strand Associates for the stormwater management projects in the Durst Valley based on a 2004 stormwater management grant application. The estimate includes the construction and engineering of two regional detention ponds for \$1.2 million. The estimate does not include land purchase. The committee asked for a copy of any studies to be shared with the group and the CDA for any coordination with the Backtown project.

Discussion: Draft Proposal Regarding 14th Avenue: Jim Salter stated he will pass along the following language regarding 14th Avenue to Mark Roffers to be included in the draft: "Each side will pay for their share of the road maintenance based on the square feet of road that lies in their municipality. The timing of the project will be coordinated by Town and Village Staff".

The committee briefly discussed jurisdictional issues with police coverage in this area. Administrator Owen indicated he does not believe there are any issues but will discuss the matter with the Chief of Police.

Report: Backtown Stormwater Study Referred to Village Community Development Authority Committee: The committee would like the CDA's input on whether there are any potential ties between the Durst Valley Stormwater Management and the Backtown project.

Set Next Meeting Date and Agenda Items: The next meeting was scheduled for January 25th at 6:00 p.m. at Town Hall. Items to include: Review of Draft CBA with Mark Roffers, Stormwater Management Update and Update on 14th Avenue Jurisdictional issues.

Adjournment: Motion by Dan Gartzke to adjourn, second by Bob Elkins. Motion carried at 7:22 p.m.

Nicholas W. Owen, Village Administrator

Joint Town/Village Negotiation Committee Minutes

November 22, 2011

K. Budsberg moved to nominate K. Seward as Acting Chair in Jim Salter's absence; 2nd B. Elkins. Motion carried. Meeting was called to order at 6:04 PM by Acting Chair Seward at Town of New Glarus Office. Town representatives present: Keith Seward, Bob Elkins and Gof Thomson. Village representatives present: Kevin Budsberg. Also in attendance: Town Deputy Clerk John Wright.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by K. Budsberg to approve the agenda as presented; 2nd B. Elkins. Motion carried.

Approval of Minutes of 10/25/2011 Meeting: Motion by B. Elkins to approve the minutes of 10/25/2011 as presented; 2nd by K. Budsberg. Motion carried.

Report: Village Board Approval of MD Roffers Contract to Prepare Cooperative Boundary Agreement Document: K. Budsberg stated the Village Board approved the contract at their meeting on November 1, 2011. Budsberg stated following the drafting of the Cooperative Boundary Agreement (CBA), both the Village and Town Board will be given the opportunity to review and provide input on the CBA as well as have the CBA reviewed by additional planners and/or attorneys.

Report: Town Board Approval of MD Roffers Contract to Prepare Cooperative Boundary Agreement Document: K. Seward stated the Town Board reviewed the contract at their 11/15/ 2011 meeting, but decided to defer approval until all Town members of the Joint Town/Village Negotiation Committee had reviewed the document. K. Seward stated he spoke to Town legal counsel and to D. Streiff who was Chair Pro Tem at the 11/15/2011 Town Board meeting. They both had concerns that the contract should detail how the advice of other consultants (besides Roffers) will be handed when resolving conflicts. Seward stated the nearest reference could find in the proposed contract is within Task 2 of Exhibit A that reads as follows:

No Town Attorney, Town Planner, or Village Attorney expenses are covered under this Agreement, or otherwise the responsibility of MD Roffers Consulting LLC. Such expenses shall instead be the responsibility of the Village and Town for their respective representatives. According to K. Seward, this does not exclude the Village planner; the Town Board will consider this proposed agreement at their 12/13/2011 meeting. Seward stated there should be explanation of who is responsible for resolving conflict during the process of creating the CBA and who will pay for those expenses. Seward stated someone other than Roffers should resolve those conflicts that arise for the Village.

K. Budsberg reasoned that the Village Planner is left out of the cited statement because Mark Roffers is the Village Planner. Budsberg referred those present to the second sentence, paragraph three of the letter dated 10/27/2011 from Roffers to Village Administrator Owen, which he thought addresses the Town concern: *Under such a three-party agreement, I would take my direction from the Negotiation Committee and otherwise from the Village and Town jointly.* G. Thomson suggested extracting the second paragraph of Task 2 of Exhibit A (cited above), inserting it in the main part of the proposed agreement, and amending it to read as follows:

No Town Attorney, Town Planner, or Village Attorney expenses are covered under this Agreement, and if incurred are not the responsibility of Roffers. Such expenses shall be the responsibility of the Village or Town as each may incur same.

K. Seward stated it addresses whose responsibility it is for payment, but does not separate Roffers from any involvement in issues that may arise that require dispute resolution between the two municipalities. K. Budsberg noted some of the language in the proposed agreements states Roffers will facilitate; K. Seward stated he has no problem with that, but wants to avoid putting Roffers in the middle of any potential disputes. Seward proposed his calling Mark Roffers tomorrow to discuss this issue further; without objection. K. Budsberg stated he does not disagree with what K. Seward proposes and does not believe anyone on the Village Board or Dan Gartzke will either. Budsberg stated that the amended agreement can be presented to the Village Board meeting on 12/6/ 2011 for their review and consideration

for approval and the Town will do the same at their Board meeting on 12/13/2011. There was brief discussion regarding the use of the term *agreement* as contained in Article VI: did it refer to the contract or the CBA? K. Seward thought it to be the former and was to protect MD Roffers if a problem were to arise between the Joint Negotiation Committee and Roffers. Deputy Clerk Wright noted Mark Roffers refers to the CBA as the *Plan* instead of the *Agreement*. G. Thomson recommended for the first sentence of Article VI now read: MD Roffers Consulting LLC, the Village, and the Town agree to mediate claims or disputes arising out of this Agreement.

Prior to adjournment, K. Budsberg stated that per Article II A., the Village and Town will need to provide Roffers with all the raw data for his review. This information will need to be gathered prior to the first meeting with Roffers.

Review and Discussion of MD Roffers Proposal and Timeline: K. Seward asked the group their understanding of when review by Roffers will begin. K. Budsberg noted the Roffers agreement expires November 30, 2012; based upon that, K. Budsberg assumes Roffers plans to begin soon after approval. B. Elkins raised the issue discussed at the 10/25/2011 meeting regarding equal veto power regarding annexation of Commercial and Industrial properties. K. Budsberg noted an agreement regarding annexation of this type of property should be within the CBA (a.k.a. Plan), not the Roffers agreement. K. Budsberg recalled the Village Board authorized Village Administrator Owen and Murphy Desmond attorney Lawrence Bechler to discuss the issue further in order to arrive at a recommendation.

Report: Stormwater Engineering Estimate Request for Durst Valley: K. Budsberg informed K. Seward who was not in attendance at the 10/25/2011 meeting that Chair Salter was to get a preliminary estimate. This item will be added to next agenda; without objection.

Discussion: Draft Proposal Regarding 14th Avenue: K. Seward stated J. Salter was to send him some updates on this topic, but Seward has not received that to date. It will be added to the next agenda; without objection.

Report: Backtown Stormwater Study Referred to Village Community Development Authority Committee: J. Salter had agreed at the 10/25/2011 meeting to speak to members of the Village Community Development Authority to be responsible for a review of this issue for Village property in Backtown. This item will be added to next agenda; without objection.

Set Next Meeting Date and Agenda Items: The next Negotiation meeting was scheduled for Thursday, December 15, 2011 at 5:30 PM at the Town Office; a backup date would be on Monday, December 19, 2011 at 6:00 PM. Items will include: Report: Village Board Approval of the Amended Cost/Contract Proposal from MD Roffers; Report: Town Board Approval of the Amended Cost/Contract Proposal from MD Roffers; Estimate for Engineering for Stormwater Management; Report: Backtown Stormwater Study Referred to the Village Community Development Authority; and Discussion: Draft Proposal Regarding 14th Avenue.

Adjournment: Motion by B. Elkins; 2nd K. Budsberg. Motion carried at 6:43 PM.

Revised 111201

Joint Town/Village Negotiation Committee Minutes October 25, 2011

Meeting was called to order at 6:01 PM by Chair Jim Salter at Town of New Glarus Office. Town representatives present: Bob Elkins and Gof Thomson. Absent: Keith Seward. Village representatives present: Jim Salter, Kevin Budsberg and Dan Gartzke. Also in attendance: Town Deputy Clerk John Wright and Village Administrator Nicholas Owen

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by K. Budsberg to approve the agenda as presented; 2nd D. Gartzke. Motion carried.

Approval of Minutes of 10/10/2011 Meeting: Motion by K. Budsberg to approve the minutes of 10/10/2011 as presented; 2nd by D. Gartzke. Motion carried.

Village Board Response to Draft Cooperative Boundary Agreement: K. Budsberg stated there was no direct response; the Village Board thought the framework was good, but their sentiment was to have an outside source fill in the details of the document. N. Owen stated Attorney Bechler of Murphy Desmond was concerned about Section 6.1.3 that states “each government party shall have veto power over annexation of C&I development property”. According to Owen, Bechler believes the right to veto is a Village power that cannot be extended to the Town. G. Thomson suggested a possible method to achieve the same result: the initial Cooperative Boundary Agreement (CBA) would not identify any areas for annexation for commercial and industrial purposes; however, if and when an area is identified, the Village Board could recommend its annexation and the Town Board could in turn consider acceptance as a possible amendment to the original Agreement. Thomson stated this solution would not require mutual veto power. K. Budsberg wondered if the language for 6.1.3 was standard language taken from another boundary agreement or if K. Seward authored it on his own. Village members of the Committee thought the language had been changed to eliminate reference to veto power; instead, it was believed that the language was amended to state decisions must be unanimous on annexations for C&I and an agreement shall not be unreasonably withheld. G. Thomson suggested an addition to the boilerplate within the final document that stated “nothing herein should forbid amendment of the agreement”.

Discussion: Advisor Selection: D. Gartzke stated he did not get to the task of comparing the proposal from Vierbicher Associates with the one from MD Roffers. However, Gartzke did note that the proposal from Roffers was a longer process because it included the approval phase with the Department of Administration (DOA), whereas the timeline from Vierbicher extended through the end of the document preparation process and did not include the approval phase. There was brief discussion regarding whether there was merit to Vierbicher’s resource George Hall who was formerly with the DOA that would offset the additional cost for their services. Chair Salter advocated for Roffers because of his prior work on the Joint Town of New Glarus/Village of New Glarus Extraterritorial Zoning agreement and familiarity with each municipality’s Comprehensive Plans. Salter went on to note Roffers would work with Erich Schmidtke of the DOA whenever he needed guidance in those areas where he had less experience. There was brief discussion regarding the possible need for the Town to retain Vierbicher Associates as a consultant to advocate for the Town if the document is prepared by Roffers, who may have a slight bias in favor of protecting the Village’s interests. The Town would pay for this consultation and would expect the hours that Roffers works to the benefit of the Village would be deducted from the shared expense for preparing the CBA. K. Budsberg moved to recommend to the respective municipal boards the use of MD Roffers as drafting advisor to prepare the CBA; 2nd B. Elkins. Motion carried.

Discussion: Priority Stormwater Locations: Chair Salter stated he and K. Seward had not discussed this topic further. The group briefly reviewed the Peripheral and Extraterritorial Area Plan (PEAP) map #2 and noted the locations of setbacks from landfills and directions of surface water flow. Chair Salter paraphrased the draft language of Option 1 and Option 2 dated September 29, 2011 that was presented to the members at the meeting on the same date (see attached). Salter stated his preference is to defer an engineering study until development is eminent rather than prior to development. Administrator Owen noted the only area where the Village has been proactive is Durst Valley. Owen went on to state that there is a biennial grant available for the possible purchase of land for stormwater detention; however, the Village has never ranked high enough in priority for consideration. G. Thomson wondered if a series of detention basins would be more effective higher up the ridge surrounding Durst Valley to hold water prior to reaching the lower elevation. It was noted that the basin on the Glarner Lodge property manages stormwater for that property only, not any flow from Durst Valley to the west.

J. Salter asked if the members present were in favor of Option 1 or Option 2. G. Thomson suggested each municipality could establish a sinking fund in order to begin saving for engineering studies. K. Budsberg questioned the specific goal of the sinking fund and how much it would likely cost to fund that goal. G. Thomson thought there were two issues regarding stormwater: 1) disaster control and 2) increasing value by diverting stormwater away from areas including Backtown. G. Thomson suggested requesting the respective Boards ask the question re: engineering study costs. In addition to Durst Valley, Neuchatel, and Valle Tell identified in the aforementioned document, the members discussed areas along County Highway O, Airport Road, and Legler Valley Road. Chair Salter suggested pursuing an estimate for an engineering plan and an estimate to excavate earth from Durst Valley to be potentially relocated to Backtown as fill. It was agreed to have the Community Development Authority review Backtown. G. Thomson requested Deputy Clerk Wright forward a recommendation from the Joint Negotiation Committee to the Town Board to add discussion of Durst Valley to their next regular agenda; without objection.

Discussion: Draft Proposal Regarding 14th Avenue: Chair Salter reported he did not have time to work upon this issue further.

Discussion: Language for Sewer and Water Extensions as Reflected in Village Ordinances: G. Thomson asked if these extensions are related to the PEAP; Nic Owen replied that if the new language in the CBA was approved, it would require an amendment to the PEAP to allow for some areas of extension without annexation. B. Elkins noted in the past there was discussion whether the black line extends outward into the Town with each annexation by the Village. Elkins stated the Town's stance is that the black line remains static, regardless of annexation. D. Gartzke thought the issue may be moot because no area will be annexed for 20 years after the acceptance of the CBA. Chair Salter thought the possible exception would be the option to extend sewer and water to properties adjacent to annexation areas for those who request it. Language could be added to the Agreement to allow possible annexation of these contiguous areas that accepted extension of services at the end of the Agreement period. Administrator Owen noted identified areas agreed upon for C & I development potentially could be annexed before the end of the Agreement period.

Set Next Meeting Date and Agenda Items: It was noted the Town Board will meet November 15, 2011 and the Village Board on November 1, 2011. The next Negotiation meeting was scheduled for Tuesday, November 22, 2011 at 6:00 PM at the Village Hall. Items will include: Consultation with Marks Roffers Dependent upon Each Board's Approval of the Cost/Contract Proposal; Quote for Engineering for Stormwater; and Discussion: Draft Proposal Regarding 14th Avenue.

Adjournment: Motion by K. Budsberg; 2nd G. Thomson. Motion carried at 6:53 PM.

Revised 1110

**Joint Village/Town Negotiation Committee Minutes
October 10, 2011**

Meeting was called to order at 6:05 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins and Keith Seward. Absent: Gof Thomson. Village representatives present: Jim Salter, Kevin Budsberg and Dan Gartzke. Also in attendance: Sarah Pittz and George Hall (Vierbicher Associates) Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Dan Gartzke to approve the agenda as presented, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 9/29/11 Meeting: Motion by Kevin Budsberg to approve the minutes of 9/29/11, second by Dan Gartzke. Motion carried.

Presentation: Sarah Pittz of Vierbicher Associates Regarding Possible Planning: Sarah Pittz and George Hall of Vierbicher Associates presented a draft service agreement for the process of creating the cooperative boundary agreement (CBA) for the Village and Town. The draft detailed a 12 week timeline for finishing the process including review of the existing draft CBA and comparison with existing Town and Village Comprehensive plans, facilitating the negotiation process, holding public informational meetings and the final drafting of the CBA. Pittz noted the agreement is a draft and Vierbicher will work with the committee to offer only the services they want. Pittz added that Gary Becker will be the main contact and facilitator with herself and Hall offering assistance. George Hall is retired from the Department of Administration where he reviewed boundary agreements.

Village Board Response to Draft Cooperative Boundary Agreement: The Village Board will be reviewing the document at their October 18, 2011 meeting and a response will be provided at the next joint negotiation meeting.

Discussion: Advisor Selection: The committee discussed the pros and cons of each of the consultants. Dan Gartzke stated he feels a side by side comparison of the three proposals would be helpful in making the decision. Gartzke will be preparing the comparison for the next meeting.

Report: Seward/Salter Regarding Priority Stormwater Locations: Due to time restraints this item was not discussed.

Discussion: Draft Proposal Regarding 14th Avenue: Salter indicated that he would like to see the boundaries of the road stay as is and the Town and Village work cooperatively on the repair. Each municipality would pay for their share of the cost of the repair based on the square feet of road that lies in each jurisdiction.

Discussion: Language for Sewer and Water Extensions as Reflected in Village Ordinances: Due to time restraints this item was not discussed.

Continued Discussion: Administrator Owen and Village Board Concerns: The Village board will discuss the issues at their October 18, 2011 meeting and respond back to the committee.

Comments on CDA Vision Document: Due to time restraints this item was not discussed.

Set Next Meeting Date and Agenda Items: The next meeting was scheduled for Tuesday October 25th at 6:00 p.m. at Town Hall. Items to include: Village response to draft boundary agreement, Recommendation on Advisor Selection, Discussion on Priority Stormwater Locations, Discussion Language for Sewer and Water Extensions as reflected in Village Ordinances.

Adjournment: Motion by Kevin Budsberg to adjourn, second by Dan Gartzke. Motion carried at 7:50 p.m.

Nicholas W. Owen, Village Administrator

Joint Village/Town Negotiation Committee Minutes
September 29, 2011

1. Meeting was called to order at 6:00 PM by Chair Jim Salter. Town representatives present: Bob Elkins (arrived 6:15), Keith Seward, and Gof Thomson (arrived 6:05, departed 7:00). Village representatives present: Jim Salter, Kevin Budsberg, and Dan Gartzke. Also in attendance: Town Clerk-Treasurer Pattie Salter and Village of New Glarus Planner Mark Roffers.
2. Announcement: All cell phones are to remain silent during the meeting.

3. Approval of Agenda: Motion by D. Gartzke to approve the agenda as presented; 2nd K. Budsberg. Discussion: As G. Thomson and R. Elkins were not yet present, the Roffers issue will be postponed until their arrival; without objection. Motion to amend the agenda carried.
4. Approval of Minutes of 9/07/11 Meeting: K. Budsberg moved to approve the minutes of August 11, 2011 as presented; 2nd D. Gartzke. Motion carried.
5. Presentation by Mark Roffers Regarding Possible Planning: Postponed until members Thomson and Elkins arrive.
6. Discussion/Action: Dissolve the Joint Town/Village Negotiation Subcommittee: Chair Salter moved to dissolve the Joint Town/Village Negotiation Subcommittee; 2nd K. Budsberg. Motion carried.
7. Discussion: Recommendation from the Joint Negotiation Subcommittee on 8/24/2011 re Language for Cooperative Boundary Agreement (as reformatted 9/07/2011): Without objection the document will be referred back to the Village Board.
8. Discussion: Administrator Owen and Village Board Concerns: Chair, Salter led the group through Nic Owen's list of concerns and the group suggested the following:
 - a. Section 2- Establishment of JPC
 - i. 2.4 - Terms will be 2 years staggered.
 - b. Section 4 – Annexation – Will be reviewed at the next meeting.
 - c. Section 5 – Revenue Sharing
 - i. 5.12 – If a new library is not built, the Village would be paid \$10,000 per year.
 - ii. 5.12.d – Change the wording to state “in excess of 2011 contribution.”
 - d. Section 6 – Commercial and Industrial Development
 - i. 6.1.3 – Forego the attorneys and use wording “Decisions must be unanimously agreed upon by both the Village and the Town” and add “agreement shall not be unreasonably withheld.”
 - ii. 6.1.5 – Get clarification from Village Administrator Nicholas Owen
 - e. Section 7 – Utility Extensions - Chair Salter explained that this section is for informational/educational purposes.
5. Returned to Presentation by Mark Roffers Regarding Possible Planning – Mark Roffers introduced himself and gave a brief explanation of his experience. He also mentioned that he and his wife Dana have formed their own consulting firm, MDRoffers Consulting.

Mr. Roffers handed out a document establishing his scope of the process and expected costs (see attached).

Coordination of map would be a necessity

K. Seward asked how M. Roffers would deal with serving both the Town and the Village. M. Roffers answered that he would have to have the two entities agree up front on how those issues should be resolved. K. Seward stressed that the consultant that works with the group would need to be non-biased.

The process would cost approximately \$8,900. Timeline from the Joint Public Hearing would be 9-12 months.

9. Discussion: Attorney Selection: K. Seward summarized the reply from Attorney Chris Hughes of Stafford/Rosenbaum dated September 27, 2011 to the letter sent by the Committee by K. Seward dated September 12, 2011 (see attached). No resolution.
10. Discussion: Member Keith Seward Statement re: Stormwater: K. Seward presented two options in the attached document. K. Seward was concerned that if option I were pursued, would they be taking on too much when considering areas along the Sugar River.

K. Budsberg expressed concern with the legal ramifications of prior knowledge.

J. Salter proposed going with option II, whereby the parties would meet to identify Storm Water Study Areas.
11. Discussion: Legler Valley/14th Avenue: It was noted that neither the Village section nor the Town section of this road has been maintained. Furthermore, the jurisdiction for law enforcement is an issue. There was brief discussion of possible annexation of the Town portion by the Village in the area near the trailer court, possible de-annexation of curved portion by the Village to the Town, and a possible agreement for resurfacing. K. Seward noted that the section of the road in question is approximately ¼ mile in length. J. Salter suggested that the Village look into what it would cost them to de-annex the road to the Town. K. Budsberg suggested that someone put together a proposal on the issue. Without objection J. Salter and K. Seward will work together on both issues defined in items 10 and 11.
12. Discussion: Language for Sewer and Water Extensions: Without objection this issue will be reviewed at the next meeting.
13. Comments on Community Development Authority (CDA) Vision Document: Without objection, J. Salter will discuss this issue with G. Thomson who departed prior to discussion of this item; Salter will report back at the next meeting.
14. Set Next Meeting Date and Agenda Items: The next meeting will be Thursday, October 10, 2011 at 6:00 PM at the Village Hall Boardroom. K. Seward noted he plans to be gone from October 12, 2011 until November 21, 2011. Agenda items to include: Proposal by Sarah Pittz, Vierbicher Associates for planning services; Village Board Response to Draft Cooperative Boundary Agreement; Discussion: Advisor Selection; Report: Seward/Salter Regarding Priority Stormwater Locations; Discussion: Draft Proposal Regarding 14th Avenue; Discussion: Language for Sewer and Water Extensions as Reflected in Village Ordinances; Continued Discussion: Administrator Owen and Village Board Concerns; and Comments on CDA Vision Document.
15. Adjournment: Motion to adjourn by K. Seward; 2nd Kevin Budsberg. Motion carried at 7:37 PM.

Revised 111005

Joint Village/Town Negotiation Committee Minutes
September 7, 2011

Meeting was called to order at 6:00 PM by Chair Jim Salter. Town representatives present: Bob Elkins, and Keith Seward; Gof Thomson was absent. Village representatives present: Jim Salter, Kevin Budsberg, and Dan Gartzke. Also in attendance: Town Deputy Clerk John Wright, Chris Hughes of Stafford Rosenbaum LLP (departed 7:20 PM), and Village of New Glarus Board Trustee Greg Thoenke, (arrived 6:18 PM and departed at 7:42 PM).

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by D. Gartzke to approve the agenda as presented; 2nd K. Budsberg. Motion carried.

Approval of Minutes of 8/11/11 Meeting: D. Gartzke moved to approve the minutes of August 11, 2011 as presented; 2nd K. Budsberg. Motion carried.

Presentation by Chris Hughes, Stafford Rosenbaum LLP Attorney: Attorney Hughes introduced himself and gave a brief summary of his education and work history. Mr. Hughes stated that a significant portion of his practice is municipal law. Over the course of the preceding eight or nine years he has been working with the City of Madison to craft agreements with surrounding communities including a Cooperative Plan with the Town of Blooming Grove. Hughes has also worked on an agreement between the Town of Dunn and the Village of McFarland.

Attorney Hughes stated he has received a copy of the draft Cooperative Boundary Agreement (CBA) dated 8/24/2011 between the Town of New Glarus and the Village of New Glarus as well as the outline of items to be included in the proposed CBA. Mr. Hughes questioned his proposed involvement in the process; was he to produce a draft CBA that would subsequently be reviewed by attorneys representing each municipality? Hughes identified two basic options within Subchapter III Intergovernmental Cooperation of Wisconsin Municipal Law that have relevance for this body: §66.0301-Intergovernmental cooperation and §66.0307-Boundary change pursuant to approved cooperative plan. Hughes stated that an Intergovernmental Agreement (IA) can precede a Cooperative Plan (CP) and often does (note: the term *plan* as used by Attorney Hughes and what the Joint Negotiation Committee refers to as a *CBA* are interchangeable). Whereas the IA does not require review by the Department of Administration (DOA), a CP does; once the CP process is initiated it has strict timelines that must be followed. K. Seward responded that the Town/Village of New Glarus Joint Negotiation Committee has been proceeding under the assumption that they are pursuing a CP according to §66.0307 guidelines and per the advice and consultation given by Erich Schmidtke of the DOA.

Attorney Hughes stated an agreement for a 10-year term (the maximum set by §66.0301(6) 5 (b)) has advantages, because it is generally easier to craft and to implement. K. Seward stated he personally prefers the proposed 20-year term that requires DOA review per §66.0307. Hughes advocated promoting community buy-in regardless of which approach is pursued. Hughes recommended public involvement prior to the Public Hearing required statutorily as well as the involvement of the Plan Commission and Board for each municipality. Seward noted that each Board receives regular updates as does the Town Plan Commission on a monthly basis. Chair Salter stated the Village has not been working as closely with their Plan Commission. K. Seward noted the Joint Negotiation Committee submitted an update of goals and achievements for the Joint Negotiation Committee dated January 26, 2011 that was published in the Post Messenger Recorder in early February 2011. Seward also noted two DOA representatives attended the April 29, 2010 Joint Negotiation Committee meeting to explain the process for and timelines associated with a CBA.

Attorney Hughes recommended defining joint goals more fully prior to initiating the sequence requiring DOA review. Chair Salter noted a Resolution has already been passed by both municipalities (Village Resolution R10-19 on July 20, 2010 and Town Resolution 2010-08-03 on August 3, 2010); therefore the process for DOA review has already been initiated. D. Gartzke stated to date the Committee has decided upon goals, some of the details, the length of the agreement, annexation guidelines, and a revenue sharing agreement. Gartzke noted the Committee is looking for assistance to define the terms within the agreement and guidance regarding the necessary boilerplate.

Hughes stated he could review the submitted materials to ensure they are legal and lawful and contain the following elements: a plan for boundary changes, conditions for boundary changes to occur, assurances that the stated goals fulfill and meet the goals contained within each municipality's Comprehensive Plan, an explanation to how services will be provided, how shared revenues will be used (Hughes

acknowledged that the Committee has been working to fulfill this goal), and how the required elements will be met. However, Hughes noted it is unusual for an attorney to act as a scribe; he stated each municipality may be best served by planners already familiar with the respective Comprehensive Plans to make certain they agree with the CBA; this in turn could be reviewed by an attorney after the review process has been completed. It was noted that Mark and Dana Roffers currently represent the Village planning needs and Sarah Pittz of Vierbicher Associates the Town planning needs. It was further noted by K. Seward that Vierbicher Associates conducted a Public Facilities Needs Assessment Study dated April 4, 2008 for the Town in preparation for an Impact Fee Ordinance, adopted May 6, 2008. Section IV of the Study includes a facilities plan for the New Glarus Public Library.

Attorney Hughes encouraged the Town and Village to pursue their own informational public hearing for their constituents before the statutorily defined Joint Public Hearing (per §66.0307 (4) (b)). J. Salter stated he would like to present a CBA draft with boilerplate inserted to each Board and their respective attorneys. Attorney Hughes stated the Committee could initially pursue an Intergovernmental Agreement (IA) to be superseded by a Comprehensive Plan (CP) when the CP is approved by the DOA. K. Seward asked whether the CP and the IA would be developed simultaneously; Attorney Hughes agreed. There followed a brief discussion of the merits of this process and potential drawbacks of each approach: the IA is a streamlined process not requiring DOA approval, but is effective for a maximum of ten years with a potential for renewal. K. Budsberg noted the centerpiece of an agreement for the Town is the Library Agreement; many contingencies are based upon whether a library is built. Budsberg further noted use of an IA would allow for a non-renewal if the library is not built within 10 years, unlike a CP of 20-year duration.

Chair Salter wondered whether an IA could effectively deal with automatic annexation area after a 20-year period. K. Seward voiced his preference for a CP with a 20-year period with DOA approval to reduce legal challenges. K. Budsberg noted that in ten years the attitudes of one or both Boards could change dramatically; a 20-year agreement would give adequate time for the major objectives of the proposed agreement to be realized. Village Board member Greg Thoemke stated the current focus is for an agreement of a 20-year term. Attorney Hughes agreed that a CP (citing his involvement with the CP between the Town of Blooming Grove and City of Madison) encourages municipalities to work together to pursue long term goals, to be more selective with annexation, and to work cooperatively on other issues not contained within the CP. Furthermore, the 20-year term allows citizens to adjust their expectations and attitudes, especially if their municipality experiences partial or total annexation.

Attorney Hughes recommended the formation of a negotiating committee to represent each municipality who would negotiate the elements to be included. The makeup of each committee is important; look for people who understood the issues and who possess the experience to see the process through to completion. There was brief review of the differences between an IA and CP. B. Elkins questioned the effectiveness of mandatory annexation after the 20-year period if it is impractical for the Village to provide sewer and water at that time. Attorney Hughes replied the language of an agreement should address this possibility; the triggers must be very clear regarding conditions for annexation. Furthermore, who will pay for extension of services and how it will be paid for should be defined; K. Seward noted the draft CBA dated 8/24/2011 addresses this issue.

Attorney Hughes estimated at his rate of \$205 per hour that he would charge between \$5,000 and \$7,500 for his review, depending upon the scope of duties. There was brief discussion regarding whether a document should be prepared by Hughes to be reviewed by respective attorneys who will trade their drafts without further involvement of Hughes. D. Gartzke questioned whether this proposal was an effective way to use Hughes. Attorney Hughes agreed the proposal may be setting up a system for three attorneys to do the work of two. Gartzke expressed his desire to avoid this scenario. Attorney Hughes suggested as a first decision to rethink what the parties want to accomplish and which tools to use in order to meet those goals. Attorney Hughes requested the Joint Negotiation Committee send Hughes a letter of what they want so he can tailor his plan/costs accordingly. D. Gartzke agreed to draft a letter based upon the preferences of the Committee; without objection.

Report: Feedback from Village Board Regarding Revenue Sharing Agreement and Request to Retain a Mutual Attorney to Create Craft Cooperative Boundary Agreement (CBA) with Fees to be Paid Equally by the Village and Town: K. Budsberg stated the Village Board expressed unanimous support of the Revenue Sharing Agreement (RSA) and agreed the Joint Town/Village Negotiation Committee should continue their efforts. Budsberg reported some Village Board members were uncomfortable with the 20-year term and some wondered if there were other choices (e.g. an agreement with a severability clause). The Village Board did not review or discuss the CBA draft dated 8/24/2011. J. Salter reported Attorney Lawrence Bechler of Murphy Desmond S.C. estimated \$5,000 for his services to create an initial draft. Without objection, the CBA draft dated 8/24/2011 will be submitted to the Village Board for discussion.

K. Budsberg asked if the consensus is to pursue DOA approval/review, should the draft agreement then be prepared by a planner (or planners) to assure compliance with Comprehensive Plans. Chair Salter would like to follow §66.0307 and involve a planner to work out stormwater and sewer and water extensions details to ensure a well-organized community by the end of the 20-year period. Salter also likes the third party impartiality by using a planner. B. Elkins asked if J. Salter was suggesting substituting planners for attorneys; in reply, Salter thinks planners would replace the need for a third attorney. K. Seward asked if there would be any objection to Seward speaking with Mark and Dana Roffers; Salter had no objection. Village of New Glarus members thought Mr. Roffers may be willing to attend the next meeting to share his thoughts. K. Budsberg thought eliminating the need for three attorneys would increase the possible options when selecting two. Chair Salter thought the group should consider Planner Roffers who is familiar with both Comprehensive Plans due to his past involvement in the Joint Extraterritorial Zoning Ordinance. D. Gartzke recommended scheduling Roffers at the next meeting and Sarah Pittz of Vierbicher Associates at the subsequent one; without objection. The members did not discuss the notes prepared by Village Administrator Owen during this item.

Discussion: Recommendations from the Joint Negotiation Subcommittee: Chair Salter referred to the marked-up document dated 8/24/2011 and the draft minutes from subcommittee meeting on the same date. D. Gartzke stated his outline has been sufficiently incorporated into the 8/24/2011 document. K. Seward requested a review of the 8/24/2011 document; he had hoped to share with the respective boards to review and possibly amend prior to a final review and approval. Without objection, the members present agreed to add this to the next agenda as a discussion item. The notes provided by Administrator Owen in his absence were not discussed under this item.

Discussion: Stormwater: There was brief discussion regarding whether the CBA could possibly address this issue. K. Seward agreed he would draft a paragraph on this topic to present to group at the next meeting; without objection.

Discussion: Legler Valley/14th Avenue: It was noted that neither the Village section nor the Town section of this road has been maintained. Furthermore, the jurisdiction for law enforcement is an issue. There was brief discussion of possible annexation of the Town portion by the Village in the area near the trailer court, possible de-annexation of curved portion by the Village to the Town, and a possible agreement for resurfacing.

Discussion: Language for Sewer and Water Extensions: J. Salter suggested this topic should be discussed with a planner. K. Seward recommended Administrator Owen be requested to identify language in Village Ordinances related to this topic for the Committee to review; without objection. Deputy Clerk Wright noted the document provided by Owen (see attached) includes information about a surcharge for Town properties served by the Village water utility.

Comments on Community Development Authority (CDA) Vision Document: J. Salter found the document somewhat wordy. K. Seward wondered if the CDA has bylaws regarding Town representation. K. Budsberg thought the CDA was seeking input from both the Town of New Glarus and the Joint Negotiation Committee. K. Seward noted he has already shared his opinions with the CDA; B. Elkins

had no comments. J. Salter asked for this item to be added to an upcoming agenda when member Thomson will be present. The next CDA meeting is on September 26, 2011.

Set Next Meeting Date and Agenda Items: The next meeting will be Thursday, September 29, 2011 at 6:00 PM at the Town of New Glarus Office. K. Seward noted he plans to be gone most of October and November. Agenda items to include: Presentation by Planner Mark Roffers, Dissolve the Joint Negotiation Subcommittee; Review of 8/24/2011 Draft Language for Boundary Agreement Recommended by Subcommittee; Discussion of Administrator Owen and Village Board Concerns; Discussion of Attorney Selection; Stormwater; Legler Valley/14th Avenue; Language for Sewer and Water Extensions as Reflected in Village Ordinances; and Comments on CDA Vision Document. Administrator Owen previously stated he cannot attend.

Adjournment: Motion to adjourn by D. Gartzke; 2nd Kevin Budsberg. Motion carried at 8:05 PM.

Revised 110920

Joint Village/Town Negotiation Subcommittee Minutes
August 24, 2011

Meeting was called to order at 8:05 AM at the Town Edge Restaurant. Town representative present: Keith Seward. Village representative present: Dan Gartzke; Jim Salter absent. Also in attendance: Gof Thomson.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by D. Gartzke to approve the agenda as presented; 2nd K. Seward. Motion carried.

Approval of Minutes: Motion by D. Gartzke to approve the minutes of August 18, 2011 as presented; 2nd K. Seward. Motion carried.

Discussion of Draft Cooperative Boundary Agreement: K. Seward presented a revised draft Cooperative Boundary Agreement (CBA) for the Village of New Glarus and the Town of New Glarus dated 8/19/2011 (see attached). The draft included excerpted boilerplate from various other existing CBAs. The group agreed to not include boilerplate details to counsel; instead counsel will make the decision of what the contents of the boilerplate should be based upon the recommended list from the Joint Committee. The subcommittee members recommended adding a question for counsel regarding conflict resolution-litigation versus arbitration. K. Seward reported that the Wisconsin Towns Association recommended Stafford and Rosenbaum LLP of Madison, Wisconsin for counsel. K. Seward reported he had communication with Chris Hughes of that firm who will forward information about the firm; they would be willing to meet with the Joint Town/Village Negotiation Committee at no cost to discuss their services. The group reviewed Village Administrator Nicholas Owen's email of August 23, 2011. The members discussed reconsideration of the proposed name of the Joint Plan Commission (JPC); the name might imply unwanted legal review process.

Adjournment: Motion to adjourn by K. Seward; 2nd D. Gartzke. Motion carried at 8:35 AM.

Transcribed from Keith Seward notes by John Wright, Deputy Clerk, Town of New Glarus

Joint Village/Town Negotiation Subcommittee Minutes
August 18, 2011

Meeting was called to order at 7:00 AM by Chair Jim Salter at the Town Edge Restaurant. Town representative present: Keith Seward; Gof Thomson absent. Village representatives present: Jim Salter and Dan Gartzke (departed 7:58 AM).

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by J. Salter to approve the agenda as presented; 2nd K. Seward. Motion carried.

Discussion of Cooperative Boundary Agreement per Outline and Drafts: K. Seward presented a draft Cooperative Boundary Agreement (CBA) for the Village of New Glarus and the Town of New Glarus. The draft CBA was a compilation of items discussed previously and accepted by the Joint Town/Village Negotiation Committee and the inclusion of items from other CBAs that define: Joint Planning Commission; General Provisions; Development Standards; and additional items for review. After discussion of Seward's proposed draft, the members agreed to present the draft with minor revisions to the members of the Joint Negotiation Committee at their next meeting.

The members reviewed a CBA prepared for the City of Oshkosh and the Town of Algoma to be referenced for possible additions to the Town/Village CBA boilerplate items. There followed a comparison of the draft CBA presented by Seward to the outline prepared by member D. Gartzke dated August 18, 2011. K. Seward and Chair Salter discussed a list prepared by Seward dated August 17, 2011 of potential ordinance changes that may be required to each respective municipal code.

There was brief discussion regarding attorney selection for the CBA document. It was decided that an attorney independent of either municipality should be chosen to prepare the initial draft; that document in turn can be reviewed by legal counsel from each respective municipality. The members concluded their discussion with a review of other attachments to the CBA including, but not limited to the Blackline Map #08-11.

Adjournment: Motion to adjourn by K. Seward; 2nd J. Salter. Motion carried at 8:00 AM.

Transcribed from Keith Seward notes by John Wright, Deputy Clerk, Town of New Glarus, revised 8/23/2011

Joint Village/Town Negotiation Committee Minutes August 11, 2011

Meeting was called to order at 6:04 PM by Chair Jim Salter. Town representatives present: Bob Elkins (6:07 PM), Gof Thomson (6:03PM), and Keith Seward. Village representatives present: Jim Salter, Kevin Budsberg, and Dan Gartzke (6:08 PM). Also in attendance: Village Administrator Nicholas Owen, Town Deputy Clerk John Wright, and Peggy Kruse (arrived 6:03, departed 7:15 PM).

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by K. Seward to approve the agenda as presented; 2nd K. Budsberg. Motion carried.

Approval of Minutes of 7/28/11 Meeting: K. Budsberg moved to approve the minutes of July 28, 2011 as presented; 2nd K. Seward. Motion carried.

Discussion/Consideration: Revenue Sharing Formulas: K. Seward stated the Town members revised the Revenue Sharing document. Those passages in red represent what was discussed at the July 21, 2011 Joint Negotiation meeting. According to K. Seward, the passages in blue are proposed changes as based on the Town's understanding of the discussion at the July 28, 2011 Joint Negotiation meeting. K. Seward stated he reviewed the August 2, 2011 Village Board minutes and found the summary of the changes to

the Revenue Sharing Agreement to be accurate. Seward went through the Draft Revenue Sharing document dated August 11, 2011 item by item (see attached). Village members agreed the blue line changes to 1 A, B and E accurately reflect what was previously discussed. Seward noted the language of item 1 F was replaced with revised language.

K. Budsberg asked if language of 1 F is meant to suggest the amount of the 2011 Maintenance of Effort (MOE) or that of the previous year. K. Seward stated the current Village MOE is around \$140,000; according to Seward, the Village agreed to continue a similar minimum commitment to the Library after MOE is eliminated statutorily. G. Thomson suggested changing the term *current* to *2011*; without objection. Chair Salter stated he wanted to avoid defining a new MOE commitment baseline using the first year's amount as it may be higher than the second and subsequent years; without objection the term *current* will be changed to *2011*. K. Seward then referred the group to the blue line change to item 2. After Annexation (subparagraph a.). Seward noted this was added because there was objection to the final year determining the amount of compensation, times five; the new language now bases the compensation upon the Town's local tax base for years sixteen through twenty of the contract agreement with payments spread equally over ten year period; without objection.

Seward stated that amendments to the language of item 2, subparagraph b, were for clarification. The change would exempt from annexation existing developments and their improvements. Chair Salter stated the spirit of the agreement was to describe new developments in the Town attaching to extensions of Village water and sewer. Seward cited those Town properties around Durst Valley as an example. Seward stated that any development adjacent to the Village that exists prior to the enactment of the Cooperative Boundary Agreement (CBA) would be exempt from automatic annexation. The members accepted Seward's explanation.

Seward stated that item 2, subparagraph c clarifies that the annexation payment agreement covers only real property taxes (not commercial/industrial or personal property); as a consequence, if the Town and the Village agree to a commercial or industrial development with subsequent annexation of that property during the term of the agreement, the Village would not be obligated for payment on that. According to Seward, item 3 essentially states the same thing as 2a and 2b. K. Seward asked Administrator Owen to update the blackline map by placing sections of CTH W, STH 69, and 2nd Street behind the High School within the blackline area. Owen suggested numbering the map 08-11; without objection. The revision to item 4 adds the term *Impact Fee* to clarify that those monies are not part of the revenue sharing agreement; the item regarding user fees for the Village pool was deleted. Motion: J. Salter moved to accept the August 2011 draft of the revenue sharing language including the amendment to item F (*current* replaced with *2011*) and the insertion of the blackline map number (08-11) as the language that will substantively be included in the CBA; 2nd B. Elkins. Discussion: K. Budsberg noted this part of the agreement needs to be sent before each Board; he questioned the consequences if the proposed agreement is rejected by either or both Boards. It was noted that the decisions of this body are non-binding recommendations; either Board can send the agreement back for further consideration. Action: Motion carried.

G. Thomson asked if either Board sends the agreement back, does it then return to this body or to legal counsel for review. K. Seward thought the process was as follows: this body 1) develops the current contract language, 2) shares the contract with their respective legal counsel, 3) prepares a resolution for both Boards to approve the contract language, 4) holds a public hearing, and 5) submits to the Department of Administration. Chair Salter suggested sharing the agreement with their respective Boards first to potentially minimize review costs with legal counsel. G. Thomson advocated selecting one attorney to draft the language of the agreement after both Boards review, with the Town and Village splitting the cost; whereas, B. Elkins prefers two lawyers to represent each side. Village members proposed attorney Lawrence Bechler of Murphy Desmond for the initial review of the combination of the agreements drafted by this body with boilerplate from similar existing agreements inserted.

The Town members briefly discussed attorney review of a draft prepared by Murphy Desmond to avoid conflict of interest although it would increase Town expenses. There followed brief discussion as to whether it was more cost effective to submit to Murphy Desmond a draft agreement with sections of boilerplate inserted or simply to give them the unique aspects of the agreement. K. Seward stated his preference was to define the language and have the attorneys determine is not illegal; Seward thinks this will take less time and will be simpler. G. Thomson agreed it may be simpler, yet doubted an attorney would agree to the language and would likely rewrite it; Thomson prefers the first draft be prepared by an attorney for the Village with subsequent review by an attorney representing the Town. K. Seward suggested a decision on individual municipal review may need to be worked out by individual caucus.

D. Gartzke stated he extracted elements from sample documents suited to this agreement and has prepared an outline that he is willing to share that with the group. Chair Salter thought the best course of action was to prepare the concepts to be included in the agreement for presentation to an attorney who will assemble with the appropriate legal language into a coherent document. K. Seward suggested adding how to approach the legal question to the next agenda; without objection. G. Thomson asked if the process can advance simultaneously on two fronts: respective Board review and submission to a mutual attorney. J. Salter restated the suggestion: 1) submit the proposal to move forward with the CBA to the respective municipal Boards, 2) if they are substantially behind, then have them agree to half payment, 3) Salter, Seward, and Gartzke review the outline and prepare a draft document, and 4) if approved by both Boards submit the draft to Murphy Desmond. D. Gartzke asked if a cap should be established on attorney fees (current rate is \$140/hour); G. Thomson thought the attorney should be able to estimate their cost and suggested Administrator Owen request that figure from Murphy Desmond. B. Elkins thought attorney Bechler would need to review the scope of what the document will contain in order to give an accurate estimate. Chair Salter doubted an estimate will be ready by the next Village Board meeting on August 16, 2011; he figured it would be available two to three weeks from tonight.

Discussion: Draft Language for Boundary Agreement: Chair Salter, K. Seward, and D. Gartzke agreed to meet on August 17, 2011 at 8:00 AM at the Town Edge Restaurant to review and discuss the outline for organizing the contents of the CBA; without objection.

Discussion/Consideration: Timeline for Conclusion of Boundary Agreement Process: D. Gartzke had a copy of the timeline distributed by the Department of Administration (DOA); according to the document, the initial triggering step is the adoption of resolutions; there is up to 60 days for the plan formation period. Administrator Owen wondered if the initial resolution adopted to start the negotiation process is what is being referred to in the DOA document; K. Seward believes it is the contract between the two municipalities that is referenced. J. Salter agreed with Administrator Owen; the adoption of resolutions has already occurred as has notification of State and Local agencies; the group is now in the plan formation period that precedes a Public Hearing and Public Comments.

K. Seward noted an advisory referendum can be requested after a Public Hearing. Administrator Owen noted an advisory referendum is optional unless citizens file a petition for an advisory referendum between the Public Hearing and the Adoption, per §66.0307(4) (e). D. Gartzke noted that an advisory referendum is non-binding. K. Seward asked if the consensus is that all the work needed to conclude the CBA adoption process can be done by year's end; all agreed. K. Budsberg requested the approximate costs for attorney expenses be presented at next week's Village Board meeting; he reasoned the CBA was marginally acceptable to Village Board and cost may sway opinion one way or the other. G. Thomson stated if the attorney fee is deemed excessive, one option is to skip the entire process and operate on an agreement based upon good faith. K. Seward thought this body needs to resolve two to three more issues to conclude the unique aspects of the agreement.

Update on Library Property Purchase and Next Steps: D. Gartzke reported the Library Board (LB) met with three professional fundraisers; according to K. Budsberg the LB hired the third person interviewed. Budsberg stated the newly hired individual will assist the LB with fundraising for a twelve to eighteen month period. K. Seward asked if the LB has requested Tax Increment Financing (TIF) District #2

monies. Chair Salter confirmed he received a memorandum from the LB requesting consideration; however, it was decided that the Village will not make a commitment to Library at this point. It was noted that the Village has made a commitment to current projects in the Industrial Park. K. Budsberg stated that the fundraiser will know what is feasible within two to three months so that building plans can be tailored accordingly. G. Thomson thought the proposed time frame will work well with the future availability of the TIF #2 benefits.

Discuss Alternate Garage Sites and Facility Needs Assessment: G. Thomson thought this item was to be removed from the Joint Negotiation agenda and moved to the Village Community Development Authority (CDA) agenda instead. K. Seward asked if the CDA reviewed the site map of a 4.0 acre property proposed by the Town; N. Owen replied he thought it was too far out from the Village. J. Salter proposed as part of the language of the draft CBA to leave a section for future. J. Salter agreed to draft a letter to the CDA Committee to request their assistance, with the understanding that they can request input from the Joint Negotiation Committee when they have questions. G. Thomson stated another future consideration for adding to the CBA is Town representation on the Library Board.

Discussion/Update on Village CDA Meeting: Improving Economic Development Initiatives: The CDA met on 7/25/2011 to discuss a Vision Statement and Goals as well as an Economic Development Strategy with the assistance of Anna Schramke of the Green County Development Corporation. N. Owen stated he will work with Anna Schramke on Goals. The next meeting is on 8/22/2011.

Comments on CDA Vision Document: No members were prepared with comments this evening.

Set Next Meeting Date and Agenda Items: The next meeting will be Thursday, September 1, 2011 at 6:00 PM at Town Office. Agenda to include: Draft Language for Boundary Agreement; Discussion on Legal Review; Stormwater; Legler Valley/14th Avenue; Language for Sewer and Water Extensions; and Comments on CDA Vision Document. Administrator Owen cannot attend. A follow-up meeting was scheduled for Thursday, September 29, 2011 at Town Office at 6:00 PM; Owen cannot attend.

Adjournment: Motion to adjourn by K. Seward; 2nd Kevin Budsberg. Motion carried at 7:27 PM.

John Wright, Deputy Clerk, Town of New Glarus Revised 110818

Joint Village/Town Negotiation Committee Minutes
July 28, 2011

Meeting was called to order at 5:30 p.m. by Chair Jim Salter. Town representatives present: Gof Thomson and Keith Seward. Absent: Bob Elkins. Village representatives present: Jim Salter and Dan Gartzke. Absent: Kevin Budsberg. Also in attendance: Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Dan Gartzke to approve the agenda as presented, second by Keith Seward. Motion carried.

Approval of Minutes of 7/21/11 Meeting: Motion by Keith Seward to approve the minutes of 7/21/11, second by Dan Gartzke. Motion carried.

Discussion/Consideration: Revenue Sharing Formulas: Village representatives presented their request for the full amount of the revenue sharing agreement, based on the formula on library use, to begin in the year following the signing of the boundary agreement. Town representatives felt that was unacceptable. They feel that since there is no guarantee of new growth to fund the additional payment to the Village that the town representatives need assurance of a new library construction to justify the additional expense to Town residents. The Village representatives presented the concept of still using the formula to determine

the payment with the first \$10,000 going to the Village and the balance being held in escrow by the Town until the new library is constructed. After discussion Village and Town members agreed to include in the agreement that if the new library was not built within 10 years of signing the agreement the Town would keep the escrowed funds. The committee agreed that any impact fees would be in addition to the amounts paid under the formula and is to go to pay for capital costs of the new library.

Adjournment: Motion by Dan Gartzke to adjourn, second by Keith Seward. Motion carried at 6:16 p.m.

Nicholas W. Owen, Village Administrator

MINUTES

6/30/2011

Joint Town/Village Negotiation Meeting

Town Hall – Swiss Miss Center 1101 Hwy 69 New Glarus @ 6:30 pm

- ATTENDING:** Town representatives present: Gof Thomson and Keith Seward. Absent: Bob Elkins. Village representatives present: Dan Gartzke and Kevin Budsberg. Absent: Jim Salter. Also in attendance: Village Administrator Nicholas Owen.
- ALSO ATTENDING:** Dale Hustad (Town Counsel) and Russ Whitacre
- CALL TO ORDER:** J. Salter called the meeting to order at 6:30 PM – Swiss Miss Center
- Proof of Posting:** Proper proof of notice was duly noted
- Announcement:** All cell phones are to remain silent during the meeting.
- Approval of Agenda:** Motion by K. Budsberg to approve the agenda as presented, second by R. Elkins. Motion carried.
- Approval of Minutes:** Motion by K. Budsberg to approve the minutes of 6/16/11, second by R. Elkins. K. Seward noted that the second paragraph under the Revenue Sharing Formulas, the discussion from the meeting of 5/12/11 does not match the language from the minutes of the Village 6/17/11 Board meeting. After a brief discussion, J. Salter moved to amend the paragraph to read “the Village representatives, discussed eliminating both the park payment as well as allowing the Town residents to pay the Village Resident fee for parks program” K. Seward 2nd. Amendment passed unanimously. J. Salter moved to amend the motion to include minor grammatical errors on the last page of the minutes, under the legislative update add the word “be” between likely will and approved; then under set next meeting date, agenda items, change the word beginning to begin. K. Budsberg 2nd. The motion to approve the amendment carried unanimously. Motion to approve minutes as amended carried.
- Update on Library Property Purchase:**
Administrator Owen reported that The CSM for the land division and lot consolidation for the property purchase has been completed. The plan commission recommended that the plan go before the Village Board on July 5th for approval. Closing on the property is set for July 8th.
- Discussion/Consideration: Revenue Sharing Formulas:**
K. Seward explained that the Town Committee’s dilemma is selling the package without some change; in effect it is the question of whether the proposed revenue sharing is for historical expenses, back pay or if it’s for future considerations. He and asked the Village to give them a feel for when the library will proceed with the new library within a reasonable time. J. Salter explained that the library is moving forward and hope to close on the land purchase on the 8th. He explained

that the intent of his wording was to say that short of an act of God or circumstances beyond their control, the Village Board is supportive of building a new library. He further explained that the revenue sharing was not intended as back pay but rather it addresses the disparate amount between the Village and Town use of the library. The Village feels that payments should begin when the agreement is enacted because as part of the agreement the Village is giving up annexation rights around the area defined by the black line on the boundary agreement map.

K. Budsberg reported that the Village voted 4-3 in favor of purchasing the land. The site location was the reason for the 3 votes against. In his opinion, he felt that the progress of the building progressing in a reasonable timeframe was between hopeful and optimistic. The library has expressed optimism that they will be able to raise a fair amount of money without effecting Village borrowing. He suggested that between now and when the Village develops their budget, the library will be doing a lot of planning in selecting architectural firms, defining fundraising goals and for the Village to formalize support. He thought that by the first of the year they should have a clearer idea of if the project will happen.

The Library board moved to approve a memo to the Village Board stating that they would like to be considered for TIF funds, when the funds become available. The Village Board can borrow up to 1 million dollars without going to referendum, but the Village was hoping that the Library Board will be able to fundraise to build the library.

K. Seward also asked for clarification on the elimination of the Park/Pool fees. J. Salter explained that there was such a disparity in funding the programs \$40,000 or more that it would be best to remove this from the equation. He stated that at 10% of the disparity it would cost the Village \$5,300 to charge Town Residents the Village resident fees. The Village would rather have the calculation based on library use and forget the \$4,000 for the recreation programs. Since it's tied to the operation costs of the library the contribution will grow with the library.

K. Budsberg explained that when asked, the Village Board did not feel the \$20,000 total compensation was worth bargaining away their annexation rights. The Village thought it made more sense to make the contribution about the library and not the parks and pool program.

K. Seward asked for two weeks more to review this language and report back. K. Seward presented the committee with additional recommendations for the Village to consider for the agreement. After reviewing the suggestions, J. Salter thought that the language expressed the intent of the Village.

Without objection, K. Seward will come back with a recommendation on when the revenue sharing for the library would begin.

Discussion/Update on Village CDA Meeting: Improving Economic Development Initiatives:

N. Owen reported that the CDA group agreed to send the draft vision statement and goals onto other committees, such as the Chamber of Commerce and Village board to gather opinions. K. Seward also noted that a request was given to the CDA to identify potential shared garage sites. G. Thomson asked if a consensus could be reached as to what size land they will need. He suggested coming up with a mid-max range of space requirements and asked to add this item to the next CDA agenda.

Discussion/Initial Drafting of Boundary Agreement Language:

Keith Seward and Jim Salter had not had a chance to work on this project. K. Seward provided the Village with recommended changes to the Belleville CBA. N. Owen noted that Belleville's agreement seemed more like our ETZ agreement and suggested following along §66-03-07.

Discussion will continue at the next meeting.

Legislative Update:

The State Budget has been passed and local municipalities will be losing shared revenues.

Set Next Meeting Date and Agenda Items:

The next meeting will be Thursday July 21th at Town Hall at 6:00 p.m. at The Town Hall. Agenda items to include: Update on Library land purchase, garage

space needs. Discussion/consideration of revenue sharing formulas, discussion/update on Village CDA meeting, discussion: of boundary agreement language and target for conclusion and timeline.

Adjourn: 7:30 K. Budsberg moved to adjourn, R. Elkins 2nd. Motion Carried.

Pattie Salter, Town of New Glarus Clerk-Treasurer

**Joint Village/Town Negotiation Committee Minutes
June 16, 2011**

Meeting was called to order at 6:04 p.m. by Acting Chair Dan Gartzke. Town representatives present: Gof Thomson and Keith Seward. Absent: Bob Elkins. Village representatives present: Dan Gartzke and Kevin Budsberg. Absent: Jim Salter. Also in attendance: Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Keith Seward to approve the agenda as presented, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 5/25/11 Meeting: Motion by Gof Thomson to approve the minutes of 5/25/11, second by Kevin Budsberg. Motion carried.

Update on Library Property Purchase: Administrator Owen provided an update from Library Board President Faun Phillipson. The CSM for the land division and lot consolidation for the property purchase has been completed and will be reviewed by plan commission on 6/23 and Village Board 7/5. Closing is set for July 8th. The next priorities for the library board are; establishing a fundraising task force and focusing on finding engineers and architects for the project.

Discussion/Consideration: Revenue Sharing Formulas: Administrator Owen provided a handout from Jim Salter detailing amendments to the revenue sharing agreement proposed by the Town at the last joint meeting. The major change being that the timing of the payment would be the calendar year following the completion of the cooperative boundary agreement (CBA) rather than when a new library facility is built. Gof Thomson recommended changing the words mid-year in the first paragraph to June 30th. The committee discussed the timing of the payment further and how to allow time for the Town to include the payment in their budgeting procedure.

The committee discussed the second item on the list, payment for parks. Administrator Owen noted that since the \$4,000 proposed is less than the Village would lose in additional revenue through charging the non-resident fees; the Village representatives discussed eliminating both the park payment as well as allowing the Town residents to pay the resident fee for programs. For eliminating the payment they would also like greater flexibility to annex for commercial and industrial development. Keith Seward felt in the last discussions the Village all ready had that flexibility.

The committee discussed the provision where the Village would pay the Town at the end of the CBA term for land that annexes. Gof Thomson thought the formula would work well for the first few years but would lose its attractiveness as it gets closer to the end of the agreement. The committee discussed possible scenarios to remedy the problem including requiring subdivisions to be a certain percent full before another can be started. The committee will research alternatives.

The committee discussed the use of the Town's impact fees in this agreement. The town would like to the amounts to count towards the library payment. Village representatives were resistant of the idea.

Discuss Alternate Garage Sites and Facility Needs Assessment: Administrator Owen noted he researched a property and it is entirely in the floodplain. The committee discussed having the CDA research the land purchase for this issue since they are working on similar issues. The consensus was that would work for the land purchase but the facility needs would be better suited for this committee.

Discussion/Update on Village CDA Meeting: Improving Economic Development Initiatives: The group will be meeting on Monday June 27th and will be discussing our Economic Development Strategy.

Discussion: Initial Drafting of Boundary Agreement Language: Keith Seward and Jim Salter had not had a chance to work on this project. They will provide an update at the next meeting.

Legislative Update: The State Supreme Court overruled a lower court's ruling making the Budget Repair Bill Valid. The Biennial State Budget has been adopted by the Assembly and likely will be approved by the Senate tonight, the next step being the Governor's approval.

Set Next Meeting Date and Agenda Items: The next meeting will be Thursday June 30th at Town Hall at 6:30 p.m. Agenda items to include: Update on Library land purchase, discussion/consideration of revenue sharing formulas, discussion/update on Village CDA meeting, discussion: begin drafting of boundary agreement language and legislative update.

Adjournment: Motion by Kevin Budsberg to adjourn, second by Gof Thomson. Motion carried at 7:14 p.m.

Nicholas W. Owen, Village Administrator

Joint Village/Town Negotiation Committee Minutes
May 25, 2011

Meeting was called to order at 6:07 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins, Gof Thomson, Keith Seward and Pattie Salter, Clerk-Treasurer. Village representatives present: Jim Salter and Kevin Budsberg. Absent: Dan Gartzke. Also in attendance: Village Administrator Nicholas Owen and Greg Thoemke.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by K. Budsberg to approve the agenda as presented, second by K. Seward. Motion carried.

Approval of Minutes of 5/12/11 Meeting: Motion by K. Budsberg to approve the minutes of 5/12/11, second by R. Elkins. Motion carried.

Update on Library Property Purchase: N. Owen reported that the library submitted a counter offer to purchase property from the Swiss Center but had not heard if the offer was accepted. The Village signed the letter to proceed with a lot survey and scheduled boring samples to determine depth to bedrock and soil suitability. Without objection the topic will be revisited at the next Joint Negotiation meeting.

Discussion/Consideration: Revenue Sharing Formulas: K. Seward distributed a redlined markup of the proposed calculation (attached). Proposed changes reflect the difficulty in getting timely reports from third parties, definition of taxes used in the calculation, how much should be contributed to Parks & Pool, the definition and timeframe of agreed upon revenue sharing and the terms of use for impact fees.

The suggested formula proposes that the revenue sharing would begin in the calendar year following the full execution of a CBA and the receipt, by the Town of a letter of commitment from the Village stating that negotiations between the library board and Village have been finalized to build a Library and

substantial completion of the new building is no longer than a year away. An alternative to the letter of commitment would be Town receipt of the new library's occupancy permit.

The Taxes are defined as taxes paid by Green County to the New Glarus Library for the Town of New Glarus' portion of operating costs for the prior year as calculated by the New Glarus Library Director and the South Central Library System and based upon final statistics, as approved by the State.

J. Salter expressed concern that if an unforeseen circumstance precluded the Village from building a library would the CBA be nullified? The concern is that by agreeing to the CBA, the Village is agreeing to not annex for a determined time. He noted that the Village is already putting money into the library and subsidizing the Town's use; in addition, if the new library gets delayed in being built, the Village would have lost tax revenue by not annexing and wouldn't receive any benefit from the Town until the new library is built.

Some reasons for delayed building of the library include: 1. Valuations are off; 2. Top donors pass away and their children don't continue with contributions; 3. Act of God; 4. Legislative changes; 5. Business such as Jack Links moves out of community; 6. Loss of community funding.

K. Seward noted that the Town has made efforts to shore up the difference in contributions at an average of \$5,000 per year over the past 10 years for library requests. In addition, \$52,000 has been paid to Green County for library support.

G. Thomson explained that if the new library is not built, not because the Village didn't sign the contract or because they couldn't make up their mind, but as a result of an issue similar to those noted above and where the Town failed to transfer funds to the Village, it would create a failure of consideration. This situation could be remedied one of two ways:

1. The contract could stipulate that the Town commit to a minimum amount and agree that's consideration. G. Thomson used the \$5,000 per year as an example.
2. The Village could submit a letter to the Town stating that there has been a failure of consideration and the contract is terminated. At that point, the Town would need to come up with something that meets the test of consideration.

Without objection the Village will take the Town's proposed calculation back to their board and present their markup and sample language at the next meeting.

Pool and Parks – K. Seward explained that the Town's negotiating committee had arrived at the contribution figure by taking the estimated contribution of \$20,000 subtracting out the library figure and spread the balance of approximately \$4,000 out over Parks and Pool. J. Salter would prefer to use a formula tied to usage to figure the contribution to pool and parks. He will present a proposed calculation at the next meeting.

Guaranteed Annexation – K. Seward noted that a pre-annexation agreement would need to be developed.

Impact Fee Use – K. Seward explained that due to legislation changes, the Town would require language in the agreement stating that those dollars from the Impact Fee account must go implicitly to the named capital projects. N. Owen did not feel this would be a problem. G. Thomson thought those payments could be paid directly to the vendors.

Discuss Alternate Garage Sites and Facility Needs Assessment: N. Owen reported that the old landfill was not managed to current standards. The main two concerns for this location were what's buried there and whether or not the surface would be structurally sound to build on. The other site would be the southwest corner of the parcel near the Golf Course. The property contains approximately 240 acres and N. Owen reported that the realtor had not been asked if the property could be split. G. Thomson noted that there is

no perfect solution to any of the sites reviewed to date. He suggested that consideration should be made to the land adjacent to the sewage treatment plant land. He noted that the land owner was currently not interested in selling. However, he suggested approaching the landowner and asking for 10 or less acres and offering an exchange of farmable land. Another approach would be to get an agreement similar to the Bahler Trust where the Village/Town would have first rights of purchase for the location and would allow the landowner to farm the land until it was needed for development. Without objection, N. Owen will look into the land swap concept.

Discussion/Update on Village CDA Meeting: Improving Economic Development Initiatives: The group will be meeting on Monday, June 23rd with the main conversation centering on vision and goals for economic development for the greater New Glarus area. The committee discussed the importance of the committee keeping momentum and making progress and what role the joint negotiation committee could have with the CDA. The committee further discussed available sites for economic development and the consensus was that rather than identifying one large parcel a better approach may be identifying several smaller parcels for future developments.

Discussion: Initial Drafting of Boundary Agreement Language – K. Seward handed out a copy of Belleville’s draft agreement and asked if there were other agreements to choose from. Without objection J. Salter will cull the CD for 6 agreements and he and K. Seward will go through them and identify passages.

Legislative Update: N. Owen reported that there is proposed legislation that would reward municipalities for working together.

Set Next Meeting Date and Agenda Items: The next meeting will be Thursday, June 16th at Village Hall at 6:00 p.m. Agenda items to include: Update on Library land purchase, discussion/consideration of revenue sharing formulas, discussion alternate garage sites and facility needs assessment, discussion/update on Village CDA meeting, discussion: beginning drafting of boundary agreement language and legislative update.

Adjournment: Motion by J. Salter to adjourn, second by Kevin Budsberg. Motion carried at 7:45 p.m.

Pattie Salter, Town of New Glarus, Clerk-Treasurer

Joint Village/Town Negotiation Committee Minutes
May 12, 2011

Meeting was called to order at 6:07 p.m. by Acting Chair Keith Seward. Town representatives present: Bob Elkins, Gof Thomson and Keith Seward. Village representatives present: Dan Gartzke and Kevin Budsberg. Absent: Jim Salter. Also in attendance: Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Dan Gartzke to approve the agenda as presented, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 4/21/11 Meeting: Motion by Dan Gartzke to approve the minutes of 4/21/11, second by Kevin Budsberg. Motion carried.

Update on Library Property Purchase: The Library has submitted a counter offer to purchase the property from the Swiss Center. The last remaining issue on the purchase itself is clarification of shared driveway easement language which is a condition of the offer. The Swiss Center has

until May 20th to consider the offer. If accepted the Library will begin property research on the additional contingences for purchase.

Discussion/Consideration: Revenue Sharing Formulas: Keith Seward noted that the Town members have had discussions on this item and would like to defer further conversation at this committee until Jim Salter is present. Administrator Owen noted that the Village Board will be reviewing the discussions on the shared revenue formulas and providing direction to the Village representatives at their May 17th meeting.

Discuss Alternate Garage Sites and Facility Needs Assessment: The committee reviewed a potential site expressing concern with the slope of the site. The committee discussed the possibility of using the Village's old landfill site on STH 39 as a potential site. Administrator Owen indicated he would look into the viability.

Discussion/Update on Village CDA Meeting: Improving Economic Development Initiatives: The group will be meeting on Monday May 23rd with the main conversation centering on vision and goals for economic development for the greater New Glarus area. The committee discussed the importance of the committee keeping momentum and making progress and what role the joint negotiation committee could play on with the CDA. The committee further discussed available sites for economic development and consensus was that rather than identifying one large parcel a better approach may be identifying several smaller parcels for future developments.

Legislative Update: The budget repair bill remains in the court system. The joint finance committee has been reviewing the budget and the latest news is that they approved an amendment removing the sunset on levy limits and allowing municipalities to carry over unused room under the levy limit.

Set Next Meeting Date and Agenda Items: The next meeting will be Wednesday May 25th at Town Hall at 6:00 p.m. Agenda items to include: Update on Library land purchase, discussion/consideration of revenue sharing formulas, discussion alternate garage sites and facility needs assessment, discussion/update on Village CDA meeting, discussion: beginning drafting of boundary agreement language and legislative update.

Adjournment: Motion by Kevin Budsberg to adjourn, second by Bob Elkins. Motion carried at 7:11 p.m.

Nicholas W. Owen, Village Administrator

MINUTES

04/21/2011

Joint Negotiation Meeting

Town of New Glarus Office – 1101 Hwy 69, New Glarus @ 6:00 PM

ATTENDING: Town Board Members: Keith Seward, Gof Thomson, Bob Elkins, and Deputy Clerk John Wright
Village Board Members: Dan Gartzke, Kevin Budsberg, and V A Nicholas Owen

NOT ATTENDING: Chair: Jim Salter

ALSO ATTENDING: New Glarus Library Board President and Members: Faun Phillipson, Becky Weiss, Suzi Janowiak, and Jane Martinson (all departed at 6:38 PM)

CALL TO ORDER: In the absence of Chair J. Salter, D. Gartzke moved for K. Seward to chair this meeting; 2nd K. Budsberg. Motion carried. K. Seward called the meeting to order at 6:00 PM

Motion: **Approval of Agenda** – D. Gartzke moved to approve the agenda as presented; 2nd B. Elkins. Motion carried.

Motion: **Approval of Minutes of 3/31/11** – D. Gartzke moved to approve the 3/21/2011 minutes; 2nd by K. Budsberg. There was no further discussion; motion carried.

Update: **Library Property Purchase and Fundraising** – Library Board (LB) President Faun Phillipson reported the following:

- The library's purchase of property from the Swiss Center of North America (SCNA) has yet to be completed although the price and easement has been agreed upon; the final review is being conducted by legal counsel for the Village (Bill Morgan of Murphy Desmond) and the SCNA (Todd Schluesche of Kittlelsen, Barry, Wellington, Thompson, and Schluesche)
- Easement language for a 50' wide access to the property from Durst Road has been added per a Village Board directive to avoid access off of STH 39
- The Village Board approved an agreement listing the Village as the owner on the title (per the professional advice of the Village attorney); however, the Library Board will have exclusive control and responsibility for the property
- Ongoing negotiations between the SCNA and LB executive committees has been labor intensive; consequently this has delayed action by the fundraising and building task forces
- The closing date for the property is listed as the end of April; it may be later
- Currently there is no projected date to begin or complete construction or solid cost estimates available; no contractor or engineer has been selected, although the LB has a list of professionals available for review
- Fundraising has been ongoing to fund the construction of the new building; donations have ranged small to large and include bequests; corporate funds may be available as well
- Library Director Denise Anton Wright has compiled a list of resources to consult regarding fundraising strategies
- The Library Board is hoping to fundraise the entire amount needed for construction of a new facility

K. Seward asked if there are time lines listed within the agreement between the Village Board and the Library Board discussed above; LB President Phillipson stated there were none. K. Seward assumes the Library Board will be responsible for the insurance on the property. F. Phillipson assumes once a building is completed, whoever is listed as the primary holder of the policy (Library or Village) the other will be listed as an additional insured. D. Gartzke noted the Town of New Glarus prefers to delay contributions to the Village to cover a portion of operating costs until there is an indication that the building phase will begin on a set date. Gartzke summarized the current discussion before the Joint Town/Village Negotiation Committee regarding revenue sharing formula for the annual library operating costs by the Town of New Glarus. K. Budsberg offered the following advice to the Library Board (LB):

- Planning should begin immediately by the fundraising and building construction task forces before the land purchase is finalized
- Establish a list of goals to be met by the fall of this year
- Do not limit LB and task force goals based upon what the Village Board may or may not do
- Rapid action by the LB and task forces will enable the Village Board to take action that can help move the process forward

Faun Phillipson stated that the recent support of the Village Board and Town Board is deeply appreciated. There was brief discussion regarding the Village plan if the LB cannot raise the entire cost for new construction. K. Seward noted that projected operating costs for a new facility would increase substantially. Village Administrator Owen stated there is a provision within the Village's long-

range financial management plan in the event the Village needs to consider funding the balance of new construction. G. Thomson made the following observations/statements:

- If fundraising alone cannot cover building costs, then up to \$1 million can potentially be spent by the Village; more than \$1 million could be forced to referendum by an individual or group based upon Mt. Horeb case law
- If the Village of New Glarus is able to retire Tax Incremental Financing (TIF) District 2 as planned in 2014, then Thomson calculates an additional \$90,000 of tax revenue would be available based upon an increase of \$10 million in assessed valuation; this money may thereby be available to finance a loan for an unfunded portion of new library construction costs, if needed
- Bonding to cover any building costs not covered by fundraising in the current economy without taking action to build would be deleterious
- Have a minimum of three architectural firms compete for the construction bid; renderings of how their proposed building would look and how it would fit the site should be a requirement of the bid process
- The Town of New Glarus may be able to use their borrowing capacity to bridge the cost of new construction not covered by fundraising until the retirement of Village TIF District 2, if needed

Library Board member Jane Martinson noted that the early presentation of preliminary designs have actually hurt some fundraising efforts; the LB may focus more upon the footprint and the site initially. Martinson also stated that the past history of negativity of the Village Board compared to the current cycle of support has limited the Library Board's investment in an optimistic future. However, LB President Phillipson assured the Negotiation Committee that Budsberg's suggestions will be addressed once the land purchase is complete, if not in advance of that date.

Discussion/
Consideration:

Revenue Sharing Formulae – K. Seward summarized the previous discussion by the Village caucus on this topic: the figure discussed was approximately \$20,000, the agreement should be kept it simple, and should there be any room for movement. Seward stated the Town caucus met and discussed the Village caucus observations to craft a response. Seward noted in order for the Town of New Glarus to generate \$20,000 annually (\$400,000 over the life of the agreement, plus the cost of money) the Town would have to determine what it would get in return and how the cost sharing would be funded. Seward stated the Town potentially will get:

- An improved sense of the community that is beneficial to both municipalities
- Increased cooperation on the remaining issues compiled and prioritized by this body
- Continued use of Village Parks resources
- Equalized pool pass cost for Town residents
- A new library

K. Seward advocated for official representation of the Town of New Glarus on the New Glarus Public Library Board might be possible. Seward then addressed how the Town could pay the proposed expense(s) associated with cost sharing and potential risks:

- Growth (residential with some potential for commercial and industrial) of the Town near the Village without annexation during the period of the agreement in order to grow the Town tax base
- Twenty new homes averaging \$200,000 in assessed value over the twenty year agreement period assuming a millage rate of \$5/\$1,000 should cover the proposed revenue sharing amount; however, the figure would likely have to be doubled to fund the amount on an annual basis
- If the target growth was not reached, it would then result in an increase in property taxes for existing residents

- The proposal must first be sold to the Town Board and then (if approved) to the electorate

K. Seward stated a formula previously suggested by the Town caucus to the Village caucus would minimize the impact for the Town; however, according to Seward, this did not appear to be agreeable to the Village. Seward entertained the possibility that there may be additional ways to have revenue sharing that is to the benefit of the Town at some indeterminate point in the future. Seward stated it was his impression the Village is seeking annexation after the term of the contract; whereas, the Town caucus initially thought this would be a decision to be made by the affected Town citizens at that time.

It is Budsberg's impression that the Town and Village are retreating from their respective goals as stated within the recent press release; he found this to be reasonable and shared. Budsberg proposed resetting the order of the priorities so the benefits can extend beyond the original twenty year boundary agreement. Budsberg stated that any cost sharing proposal presented to the Village Board should be based upon a formula, not a number drawn from a hat. D. Gartzke stated he likes the formula proposed by the Town, but thinks using the existing Town tax figure paid to County is problematic and could be replaced with a better method for defining that variable.

Discussion: **Alternate Garage Sites and Facility Needs Assessment** – Administrator Owen reported he looked at the discussed site; it is 44 acres for \$223,000 with a portion in a flood plain. K. Seward asked if the property could be split; Owen replied the seller had not been asked that question.

Discussion/Update: **Village Community Development Association Meeting: Improving Economic Development Initiatives** – N. Owen stated the first meeting was a week or two prior and discussed ways to cooperate, including a presentation by a representative from the Green County Development Board. Owen welcomed all members to attend this coming Monday's meeting. K. Seward recommended adding stormwater management as a future agenda item.

Update: **Legislative** – nothing to report yet until budget repair bill issue is settled.

Next Meeting Date was set for May 12, 2011 at 6:00 PM at the Village Hall Boardroom
 Agenda Items: Continue Revenue Sharing Discussion, Updates: Public Works Garage; Community Development Authority Meeting; and Legislative.

7:00 PM K. Budsberg moved to adjourn, 2nd G. Thomson. Motion Carried.

Adjourn revised 110506

Joint Village/Town Negotiation Committee Minutes
 March 31, 2011

Meeting was called to order at 6:25 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins and Keith Seward. Absent: Gof Thomson. Village representatives present: Jim Salter, Dan Gartzke and Kevin Budsberg. Also in attendance: Village Administrator Nicholas Owen.

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Keith Seward requested the removal of item 8. K. Seward Report on Discussion with Erich Schmidtke DOA as it was discussed last meeting. Motion by Dan Gartzke to approve the agenda as amended, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 3/10/11 Meeting: Motion by Bob Elkins to approve the minutes of 3/10/11, second by Keith Seward. Motion carried.

Discussion/Consideration: Library Revenue Sharing Formula: Village representatives stated that they did not think that the Town renting of the space at Village Hall that would be vacated when the library builds a new structure should be included in the revenue sharing formula. The revenue sharing was meant to offset the cost of services/programs the Village provides to Town residents and the rent of space should go to pay for that use.

The committee clarified that there are three proposals for revenue sharing being discussed: using the amount contributed by the County for Town use of the New Glarus Public Library to calculate, using the amount Town residents pay the county in property tax for all library use, and the third where the Town would pay an additional \$10,000 based on past support of the library and \$10,000 for rent of the vacated library space at Village Hall. The town representatives said they would like to discuss the formulas in their caucus before the next meeting.

The committee discussed whether the payment would be constant for the term of the agreement or adjustable. Village representatives would like to see the payment adjustable over the life of the agreement. They added that it is a balancing act between whether the payment will be sufficient to forgo future annexations. Town representatives added it is the same for them, whether the additional revenue from development is feasible to cover the additional cost.

Discussion: Village Pool/Parks Revenue Sharing Calculations: Village representatives felt that the pool/parks revenue sharing should be tied to a formula so it is defensible to the public and easily understood by future boards.

Discuss Alternate Garage Sites and Facility Needs Assessment: Administrator Owen was informed that one of the properties on our initial list of potential sites has been listed for sale. Owen will follow up on the property for the next meeting.

Discussion/Update on Subcommittee to Study Town/Village Joint Commercial/Industrial Development: The CDA will be meeting with the Chamber of Commerce, Village Board and representatives from this committee to discuss ways to improve economic development issues on Monday April 11th at 6:30 p.m. at Village Hall. Committee members expressed interest in participating and making sure there is progress.

Legislative Update: Administrator Owen distributed a sheet detailing the revenue loss for local governments in Green County. The Village will lose \$16,371 in shared revenue, \$26,439 in transportation aid and \$10,000 in recycling aid. The Town of New Glarus will lose \$6,095 in shared revenue and \$2,630 in transportation aid.

Set Next Meeting Date and Agenda Items: The next meeting will be on Thursday April 21st at 6:00 p.m. at Town Hall. Agenda items to include; Discussion on Proposed Revenue Sharing Formulas, Update on Alternate Garage Site/Space Needs Analysis, Update on Subcommittee on Joint Commercial/Industrial Development, Legislative Update and Update on Library Property Purchase and Fundraising.

Adjournment: Motion by Kevin Budsberg to adjourn, second by Bob Elkins. Motion carried at 7:17 p.m.

Nicholas W. Owen, Village Administrator

Joint Village/Town Negotiation Committee Minutes
March 10, 2011

Meeting was called to order at 6:00 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins, Keith Seward and Gof Thomson. Village representatives present: Jim Salter, Dan Gartzke and Kevin Budsberg. Also in attendance: Village Administrator Nicholas Owen

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Kevin Budsberg to approve the agenda, second by Bob Elkins. Motion carried.

Approval of Minutes of 2/23/11 Meeting: Motion by Kevin Budsberg to approve the minutes of 2/23/11, second by Dan Gartzke. Motion carried.

Review and Clarification of 2/07/2011 and 2/23/2011 Joint Negotiation Committee Minutes for the Benefit of Member Keith Seward Who Had Been Unable to Attend: Keith Seward asked for clarification on the minutes from 2/13/10 if the space needs requirements of 20,000 square feet included the Town? Administrator Owen indicated it did not, that number was for Village needs only.

Seward asked for clarification on the minutes from 2/7/11 on the first page under Library Revenue Sharing Formula, the last line of the first paragraph reading “J. Salter asked the group if they felt the revenue sharing formula seemed accurately populated”. Jim Salter clarified that “populated” should be “calculated”.

The last item of clarification Seward requested was what was meant in on the second page, second to last paragraph where Budsberg refers to “another area yet to be defined” in regards to the revenue sharing. Budsberg clarified that the Village has a “hydrant rental fee” on the water bill and tax bill to fund having the fire hydrants and the capacity to fight fires. Budsberg’s question was if there would be a way to charge the Town for their benefit from this. Consensus of the committee was it would be better to approach the Fire District about sharing in the cost.

Discussion/Consideration: Library Revenue Sharing Formula: The committee discussed the potential affect of the State Budget cuts on the Town’s ability to provide additional revenue to the Village. Consensus of the committee was to continue discussions and take on the budget issue as more information becomes available. The committee discussed the differences between the revenue sharing formula originally presented by the Town and the one detailed in a sheet from Library Director Denise Anton Wright. The Town’s formula was based on their tax contribution to all Green County Libraries and Anton Wright’s was based on the Town’s contribution to the New Glarus Public Library. The difference in the formulas is approximately \$16,000. Seward asked for clarification on a \$20,000 revenue sharing number that was discussed at previous meetings. Salter explained that his thoughts were the originally revenue sharing numbers from the Village were too high for the Town to sell to its citizens and that a number around \$20,000 would be more reasonable. Town members briefly caucused to discuss this number. Town members proposed the Town contributing \$10,000 for library use, based off their average contribution to the Library outside of the county tax and \$10,000 to rent the space vacated by the Library for the Town offices, for a total revenue sharing of \$20,000. Village members will discuss this at their next meeting.

Discussion: Village Pool/Parks Revenue Sharing Calculations: No discussion has held; this item will be discussed further at the next meeting.

Discuss Alternate Garage Sites and Facility Needs Assessment: No discussion has held; this item will be discussed further at the next meeting.

K. Seward Report on Discussion with Erich Schmidtke, D.O.A.: Seward distributed an email between Erich Schmidtke, WI DOA, and himself regarding the boundary agreement. The email discusses the next steps in the process and what items to include in the agreement. Schmidtke recommends including as many items as possible in the agreement to make it more salable to the public and the next steps would be drafting resolutions and holding public hearings on the agreement.

Creation of Subcommittee to Study Town/Village Joint Commercial/Industrial Development: Seward, Salter and Budsberg volunteered to serve on the subcommittee. The subcommittee will attend the March 28th Village community development authority meeting to discuss a potential partnership.

Set Next Meeting Date and Agenda Items: The next meeting will be on March 31 at 6:00 p.m. at Town Hall. Agenda items to include; discussion on library/parks and recreation funding, discussion on subcommittee for joint commercial/industrial development and a legislative update on the state budget process.

Adjournment: Motion by Gof Thomson to adjourn, second by Kevin Budsberg. Motion carried at 7:32 p.m.

Nicholas W. Owen, Village Administrator

Joint Village/Town Negotiation Committee Minutes
Wednesday February 23, 2011

Meeting was called to order at 6:00 p.m. by Chair Jim Salter. Town representatives present: Bob Elkins and Gof Thomson. Absent: Keith Seward. Village representatives present: Jim Salter and Kevin Budsberg. Absent: Dan Gartzke. Also in attendance: Village Administrator Nicholas Owen

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Jim Salter to approve the agenda, second by Kevin Budsberg. Motion carried.

Approval of Minutes of 2/7/11 Meeting: Jim Salter noted two typos, on page two the second paragraph from the bottom the word “cognoscente” should be “cognizant” and on page 3 third paragraph the second use of the word built should be build. Motion by Jim Salter to approve the minutes of 2/4/11 as corrected above, second by Gof Thomson. Motion carried.

Discussion: Library Revenue Sharing Formula: Consensus of the committee was the issues with who receives the extra funding from the Town could be worked out in the drafting of the boundary agreement. The committee is comfortable with the formula.

Discussion: Town Parks and Recreation Contribution: Administrator Owen informed the committee that the amount of revenue lost by allowing Town of New Glarus residents to pay the resident fee is \$5,300 assuming no other changes in use. Gof Thomson distributed a sheet detailing the potential loss in purchasing power with the proposed changes in the State’s budget repair bill. The total loss projected for Green County would be \$5 million, not including the trickle down affect. Kevin Budsberg asked if the Town had a number in mind that they could sell to their residents for the park/pool fee so the Village can determine if that is enough to proceed with this agreement? The Town members indicated they had not but would discuss it. Jim Salter stated that he felt if the Village received enough to make up the loss from the change in charging Town residents the lower fee and a little more for pool and parks we would be better off than we are now.

Discuss Alternate Garage Sites 2 and 3: No discussion or action.

Discuss Revised Village Garage Facility Needs Assessment: Administrator Owen reported that their revised space needs for future facility is 20,000 square feet; currently between the two buildings we have about 14,000 square feet. He further noted that due to the Village’s debt capacity and changes in funding from the state this project is not likely to occur in the next 5 years. Owen added that he feels we have enough information gathered to move forward if circumstances change. The consensus of the committee was that it is important to be prepared to act on this when an opportunity presents itself.

Set Next Meeting Date and Agenda Items: The next meeting will be on Thursday March 10th at 6:00 p.m. at Village Hall. Agenda items to include; Creation of Subcommittee to Study Town/Village Joint Commercial/Industrial Development, Village Pool/Parks Revenue Sharing Calculations, Joint Garage Facility/Alternate Location Update and Discussion/Consideration of Library Funding Formula.

Adjournment: Motion by Kevin Budsberg to adjourn, second by Bob Elkins. Motion carried at 7:05 p.m.

Nicholas W. Owen, Village Administrator

MINUTES

02/07/2011

Joint Negotiation Meeting

Town of New Glarus Office – 1101 Hwy 69, New Glarus @ 6:00 pm

- ATTENDING: Town Board Members: Dean Streiff, Robert Elkins, and Pattie Salter
Village Board Members: Jim Salter, Dan Gartzke and Kevin Budsberg
- ALSO ATTENDING: Darrel Weber, Jane Martinson, Library Director Denise Anton Wright, Henry Janisch, and Darrel Webber
- CALL TO ORDER: J. Salter called the meeting to order at 6:05 PM – Swiss Miss Center.
- Proof of Posting: Proper proof of notice was duly noted.
- Announcement: J. Salter reminded all present that all cell phones shall remain silent for the duration of the meeting.
- Motion: **Approval of Agenda** – Motion by G. Thomson, seconded by K. Budsberg to approve the agenda as presented. Motion carried.
- Motion: **Approval of Minutes of 1/25/11** – Motion by D. Gartzke, seconded by K. Budsberg to approve the minutes of 1/25/11. Motion carried.
- Discussion: **Library Revenue Sharing Formula** – J. Salter gave a brief history of the formula. K. Budsberg asked D. Wright if formula were implemented today, how would the financial support differ. D. Wright did not feel the one year look back would work. If actual statistics were used they would need a two year lag. Total operating divided by total usage = cost per circulation. Town of New Glarus use 38,000-40,000. They expect to get approximately 67,000 from Green County.
- J. Salter explained that when he was originally looking at the shared services formula, he was envisioning the formula based on all services, such as parks, recreation, library, etc. so the formula would not be based solely on the library. The funds would go into a Village Fund and would be allocated to offset the skewed expenses.
- Caution needs to be exercised in the wording of the agreement due to the statutory requirements of the library.
- R. Elkins asked what is the figure of support the village is looking for? K. Budsberg explained that they are just getting to the point of doing a cost analysis.
- The Village wants contributions to come in before the new library is built, the town's position is build it and we'll pay towards it.

J. Salter noted that the formula looks legitimate. Without objection, D. Wright will provide actual figures from 2010 at the next meeting.

Discussion: **Town Parks and Recreation Contribution** – J. Salter felt that if the Town is contributing towards shared services, they shouldn't be charged the non-resident fee. G. Thomson clarified that this would be based on "New Dollars."

The figure they need is approximately \$125,000. Is the Town prepared to make a contribution toward the shared services? Need to have more accurate figures for the Town on their actual costs for parks and rec.

Discussion: **Alternate Garage Sites 2 and 3** – J. Salter reported that he and K. Seward have not been able to meet regarding this.

Next Meeting Date set for February 23rd at 6:00 at the Village Hall

Agenda Items:

Review actual costs

8:05 D. Gartzke moved to adjourn, R. Elkins 2nd. Motion Carried.

Adjourn

Joint Village/Town Negotiation Committee Minutes
Tuesday January 25, 2011

Meeting was called to order at 6:00 p.m. by Chair Keith Seward. Town representatives present: Keith Seward and Gof Thomson. Absent: Bob Elkins. Village representatives present: Jim Salter, Dan Gartzke and Kevin Budsberg. Also in attendance: Faun Phillipson, Darrel Weber, Jane Martinson, Linda Hiland, Becky Weiss, Suzi Janowiak (Library Board), Library Director Denise Anton Wright, Trustee Peg Kruse and Village Administrator Nicholas Owen

Announcement: All cell phones are to remain silent during the meeting.

Approval of Agenda: Motion by Kevin Budsberg to approve the agenda, second by Jim Salter. Motion carried.

Approval of Minutes of 1/13/11 Meeting: Kevin Budsberg requested that the word "agreed" in the second paragraph on the second page of the minutes be changed to "confirmed". Motion by Kevin Budsberg to approve the minutes of 1/13/11 as amended, second by Jim Salter. Motion carried.

Review All Items Discussed at the January 13, 2011 Meeting with Member Jim Salter: Keith Seward reviewed the items discussed at the last meeting including language regarding annexation for commercial/industrial development, the draft news release, remaining items from the Town's May 7th letter and library funding proposal. Salter asked for clarification on what the "final Village financial contribution" meant for timing of the Town's additional funding. Consensus of the committee was further discussion and clarification was needed for this.

Discussion with Library Board Chair:

Review Library revenue sharing formula: Library Board President Faun Phillipson had three statements on the formula: thank you to the town for considering additional funding, clarification is needed on the timing of the initial payment and if the payment is to the library or Village and clarification is needed on how this affects the Village MOE and if it is an actual increase in funding or an offset of the Village funding. Committee and Library Board representatives discussed the

difference in operation budget of the current library and a new library and the impact on Village and Town taxpayers. Consensus of the committee was that clarification was needed on whom the payment is made to the Village or the Library, the affect of the payment on compliance with the Village's MOE and if the payment is to be an increase in funding or an offset to the Village's payment and the timing and phasing of the payment.

Update on offer to purchase property including joint access and site costs: The Library Board executive committee has been working on the issues of access with the Swiss Center, realtor and an excavator and they feel they have enough information to make a new offer to purchase.

Fundraising goals: The Library Board felt it is too early to discuss. They will develop fundraising goals once a realistic construction cost is developed.

Current thoughts on square footage, footprint, and design for new facility: The Library Board was not ready to discuss this item.

Current DNR standards for water detention: There was not enough information to discuss this item.

Financing discussion: Keith Seward asked if the Library Board could come back to this committee with an answer on their capital costs. Faun Phillipson stated she thought they needed more information before they could provide an answer. Gof Thomson stated he felt that the cost per square foot from the McGowan study from the Old Town Hall site could be used as a benchmark. The committee asked that a summary of the proposed operating and capital costs produced by Keith Seward be shared with the Library Board.

The Library Board will report back on these items at the Committee's March meeting.

Jim Salter Report on Alternate Garage Sites: No report. Salter will work on making contact with the identified landowners.

Consideration of Change of Committee Chair: Keith Seward stated that when the committee was originally formed we discussed changing chairs and allowing a Village representative to chair the committee. Motion by Kevin Budsberg to nominate Jim Salter as chair for one year, second by Dan Gartzke. Motion by Gof Thomson to close the nominations, second by Keith Seward. The motion to elect Salter as chair carried.

Discussion/Action Regarding Redefining the Joint Public Works Needs Assessment: Administrator Owen will work on revised numbers of the Village space needs for the March meeting.

Updates

Press Release: The committee was satisfied with the draft and would like it sent to the Post Messenger and Monroe Times. Administrator Owen requested a copy to share with the Village Board and posting on the Village and Town's website.

Joint Commercial/Industrial development language of Budsberg response: The committee was satisfied with the proposed language.

Revisions to Black Line map proposed 1/13/2011 by Chair Seward: Keith Seward provided a map with a highlighted line detailing the areas for residential annexation; the ROW of STH 69 and W, and two residential lots on 2nd Street. The committee approved of the map presented.

Set Next Meeting Date and Agenda Items: The next meeting will be on Monday February 7th at 6:00 p.m. at Town Hall. Agenda items to include; library funding, parks and recreation contribution and discussion on drafting boundary agreement document, discuss alternate garage sites 2 and 3.

Adjournment: Motion by Jim Salter to adjourn, second by Kevin Budsberg. Motion carried at 7:45 p.m.

Nicholas W. Owen, Village Administrator

MINUTES
1/13/2011
Joint Negotiation Meeting
Town of New Glarus Office – 1101 Hwy 69, New Glarus @ 6:00 pm

- ATTENDING: Town Board Members: Keith Seward, Bob Elkins, Gof Thomson, and Town Deputy Clerk John Wright
Village Board Members: Kevin Budsberg, Dan Gartzke, and Village Administrator Nic Owen
- NOT ATTENDING: Jim Salter (Village)
- CALL TO ORDER: K. Seward called the meeting to order at 6:00 PM
- Announcement: K. Seward reminded all present that cell phones should be set to silent operation for the duration of the meeting
- Proof of Posting: Proper proof of notice was duly noted by the Chair and Town Deputy Clerk
- Motion: **Approval of Agenda** – Motion by D. Gartzke, 2nd by B. Elkins to approve the agenda as presented; motion carried.
- Motion: **Approval of Minutes of 12/09/2010** – Motion by K. Budsberg, 2nd by B. Elkins to approve the minutes of 12/09/2010. K. Seward referred those members present to the second paragraph of the second page under the **Town Response to the Expense Sheet from the Village** heading. According to Seward it was his recollection that there was a discussion and resulting recommendation from the Town members for the Village to define a specific number. K. Budsberg assumed the figures Seward was looking for was in relation to the Public Library as figures had been presented for the pool and recreation. Seward agreed that the initial figures discussed were vague and thought the minutes should include the Town's request for a more accurate figure. N. Owen responded that his minutes for the item refer the reader to the point in the minutes where it had previously been discussed under **Refined Analysis of Town Portion of Village Recreation and Pool Figures**. Seward stated this discussion could continue this evening; there was no further discussion of the motion. The 12/09/2010 minutes were approved as presented.
- Discussion/Motion: **Consideration of Change of Committee Chair** - K. Seward stated he has acted as Chair since the December 10, 2009 meeting and noted the term for the position was six months. D. Gartzke asked the rationale of limiting terms. K. Seward thought it symbolized the balance inherent in these ongoing discussions; no one side was to have more power than the other. K. Budsberg recommended that Village President Jim Salter who was absent as a member of this body this evening should be party to this discussion/action. G. Thomson moved to table this item until next month; 2nd K. Budsberg. Deputy Clerk Wright noted that to table an item infers an indefinite suspension of further discussion and to discuss it again will require a motion to remove it from the table to resume discussion and will need to be added to a future agenda as an action item. Wright asked Village

Administrator N. Owen if he had any objections to simplifying the process by asking the original motion be amended to read: *G. Thomson moved to delay discussion of this item until J. Salter can be party to the discussion and for the item to be added to the next Town/Village Joint Negotiation Committee agenda.* There were no objections to the amended motion; motion carried.

Discussion:

Shared Cost Agreement

- Village Response to Library Funding – K. Budsberg and D. Gartzke stated the Village members were fine with the proposal presented by K. Seward. D. Gartzke asked whether the Town intends on paying that portion of the shared cost which exceeds the amount collected specifically for library to the Village or directly to the Library. K. Seward replied it was his understanding that it will be paid directly to the Village. K. Seward asked if the Village representatives present if they were comfortable basing the percentage of shared costs upon circulation statistics available through the Library Board; without objection. Seward noted the other figure necessary to derive the Town share would be provided by the Green County Treasurer (i.e. the amount collected by Green County from Town residents that is currently partially redistributed to the Village based upon library use).

K. Seward circulated copies that define the formula being proposed by the Town. Seward proposed that this cost be paid by the Town to the Village at mid-year to equalize the cash flow. The payment for the first year would probably be based upon a budget estimate. Seward stated that the Town caucus discussed debt service and they concluded that it should not be included in the calculation for two reasons: 1) it may not be necessary (e.g. if a benefactor or benefactors donated enough that financing was not required); 2) the Town has no ownership of the building or materials (i.e. the Town is paying only for operating costs). K. Budsberg confirmed the Town would be contributing towards operating expenses. D. Gartzke did not believe the proposal will work if Town payments lag behind a year especially once building is under way for a new library.

G. Thomson suggested one way to handle this issue was to make an adjustment based upon a lookback period. K. Seward further explained that the Town could catch up to a revised obligation the following year; D. Gartzke thought it should be based upon the Library budget instead, which is known in advance. Based upon Gartzke's proposal, K. Seward asked what would happen if the Library budget was greater than expenses for two consecutive years; would there be a refund in this circumstance or a credit the following year. K. Budsberg recalled that a portion of the Library's funding lags behind by more than a year and proposed involving the Library Board in this discussion. G. Thomson pointed out that prior to construction of a new facility this potential additional contribution by the Town will be new money for the Library.

K. Seward noted that the Village sets their Maintenance of Effort each year based upon the preceding three years. K. Seward asked if Maintenance of Effort was independent of this proposal or would be offset in part by the Town's contribution. K. Seward suggested this question to be posed to the Village Board. G. Thomson asked if the tax dollars collected and redistributed by Green County is based upon circulation or some other method. K. Budsberg thought it might be based upon where the borrower's card was issued. Administrator Owen thought South Central Library System may track those figures. It was agreed that the Library Board should be involved in answering some of these fundamental questions.

K. Seward referred the members in attendance to the clause in red contained within the circulated document. Seward wondered what the Village's interest is in declaring financial support for a new library. K. Budsberg felt the

approved increase in the 2011 Maintenance of Effort (M of E) and the establishment of the Sinking Fund (S.F.) for the same year act as tools for the Library Board to start the fundraising process. Although these Village contributions (i.e. increase of M of E and amount in S.F.) are a big step forward, G. Thomson did not feel that the amounts of either constituted a solid commitment in his mind. He suggested the Village make a specific dollar commitment so that Library Board knows what they must fundraise.

K. Budsberg stated that the Library Board has not purchased a property, defined the building footprint, established a library design, or determined the type of facility; he felt these unknowns limit the Library Board's ability to fundraise and that a Village commitment would not change that; K. Seward disagreed. G. Thomson thought if the commitment was more than \$1million then it should go to referendum, citing the Public Library in the Village of Mt. Horeb as an example. Thomson suggested the Village make a commitment of \$1 million or less so that the time and expense of a referendum can be avoided. This figure will help the Library Board know how much they must fundraise or how much building and infrastructure they can afford, according to Thomson. K. Seward stated it will be difficult to convince the Town electorate to commit to library revenue sharing with the Village if there is no solid plan for a new library. K. Budsberg asked what Seward's sentence printed in red means in terms of the type of commitment the Town is seeking; the Town will not be interested in acting upon a shared revenue agreement for the Library until the new building project is under way. The Village members agreed to discuss this further and to introduce it to the Village Board.

- Town Response on Parks, Recreation, and Pool Funding – K. Seward stated there needs to be a more detailed analysis as to how the \$50,000+ figure representing the proposed Town obligation to the Village for pool and recreation was derived. Seward noted the proposed amount represents 9% of the current Town budget which would be a hard sell to the Town's constituents. Seward thought a phasing-in of this amount might be easier to implement, assuming the figure is accurate. N. Owen noted that the revenue received represents the user fees that were paid to the Village. Owen further explained that the expense representing the gap in funding for pool and recreation activities not covered by user fees (which is currently covered by the Village levy) is now proposed to be divided between the Town and Village based upon the percentage of usage figures for each. There was a brief discussion of pool pass costs for residents and non-residents.

D. Gartzke felt if a parks funding agreement can be reached between the two municipalities, then pool pass costs should be equalized for Town residents as a benefit. G. Thomson advocated acting soon prior to more detailed talk on repair and expansion of school district facilities; waiting could be deleterious to the goals of this body. K. Budsberg thought the numbers presented by the Village were accurate and wasn't sure what Seward's suggestion to mitigate them means; does the Town question their accuracy or unwilling to pay what the Village sees as the Town's fair share?

G. Thomson felt a new public works facility won't be necessary unless backtown is to be developed and therefore was not as important to pursue as the library issue. Thomson suggested the Village pursue a possible trade with a developer to exchange a piece of property in Backtown for one elsewhere which could be used for a public works facility potentially saving on part of the expense. K. Budsberg was not comfortable altering the figure cited for the Town's share for funding Village parks because each municipality is trading one thing for another; he added there is parity in all the items being discussed so specific costs for each are needed to ensure balance. G. Thomson did not think the Town would be able to meet the

obligation for Village pool and recreation activities cited by the Village; nevertheless the Town could contribute more than in the past.

K. Budsberg thought that if the entire amount cannot be contributed towards parks perhaps that value can be derived from some other Town asset (e.g. the portion of Legler Valley Road/14th Avenue in the Town which makes the road discontinuous). D. Gartzke proposed that a formula should be created to define each municipality's share on an annual basis for the projects identified so that over the 20 year period of the proposed Cooperative Boundary Agreement those figures would not have to be renegotiated. Seward recommended the Town members discuss this further in caucus and return to a future joint meeting with a summary of that discussion.

K. Budsberg suggested leaving the proposed methodology for cost sharing as originally presented. Budsberg stated the suggested formula for joint funding of library operations is like the figures for jointly paying Village expenses for pool and recreation programs not covered by user fees: both are proposals. As such, Budsberg reasoned both proposals are items on the table for discussion and both should be left on the table "as is"; once other proposals are discussed the figures can be refined. G. Thomson asked what the other proposals alluded to; Budsberg replied the other priorities on the list agreed to by the group in early 2010. Thomson thought that not all items on that list could be ascribed a monetary value and perhaps the list should be segregated to categorize projects that do have specific costs or values and those that do not. There was no objection to place the *Town Response on Parks, Recreation, and Pool Funding* item on a future agenda.

Discussion: **Review of Updated Boundary Agreement Map** - K. Seward noted the distinctions between the map prepared by Strand Associates dated January 13, 2011 and the "Black Line" map. Seward drew a color-coded line along County Highway W, along State Highway 69, and along 2nd Street that he proposed could be added as areas of possible annexation per prior agreement.

Discussion: **Feedback on Alternate Garage Sites** – N. Owen talked to Beth Alderman about 2b; she thought it would be difficult to build at site 15. G. Thomson asked if the Village determined a new figure smaller than 17 acres for this project; Owen replied that he and Alderman did not discuss that topic. Thomson suggested the list of ideal qualities for a site be better defined to make the search process simpler. It was agreed without objection to add *Discussion/Action Regarding Refining the Joint Public Works Facility Needs Assessment and Expanded Site Review* to the next agenda and consult J. Salter upon his return about the alternate garage sites he explored.

Discussion: **Status Updates on Items 5, 7, and 8 from Town's May 13th Letter** – K. Seward distributed copies of the proposed letter dated May 7, 2010 that was presented to the Town/Village Negotiation Committee at the May 13, 2010 meeting. Seward thought item 3 was negotiated out by means of the conversation on the definition of industrial/commercial versus residential. N. Owen thought item 2 should specify *residential*; without objection. K. Seward questioned item 3 which was originally focused on sites along the Highway 69 corridor; he noted the group is now thinking more broadly in terms of where the site or sites can be located. Seward wondered if this more general site location concept should become part of the fabric of a future sub-committee whose members will explore the promotion of industrial/commercial development, or does this body have some restrictions in mind. Under item 4 Seward stated the blue areas are out, but the Joint Negotiation Committee may want to promote it as part of the Committee's function. Item 5 according to Seward was good, noting some of the language was expanded in the definition of what Ordinance changes might include. Item 6 has been agreed upon. Item 7 defines the broader scope of what developments adjacent to the Village should look like. K.

Seward stated the Town Negotiation caucus thought item 8 had been negotiated out. Administrator Owen agreed that the library and parks issues have replaced this item.

Discussion/Motion: **News Release** – K. Seward presented his revisions to his proposed press release that had been presented in its original form at the December 9, 2010 meeting. K. Budsberg stated that item 4 on the second page might be restated that both parties agreed C&I development is good. D. Gartzke noted a spelling error at the top of page two and suggested rewording the introductory clause as follows: *As of this date the Committee has tentatively agreed...* D. Gartzke suggested listing the other members of the committee in addition to Salter and Seward. G. Thomson suggested providing email addresses instead of phone numbers because correspondence could then be shared with the group.

Discussion: **Proposed Language on Commercial/Industrial Development** – K. Seward noted that there were minor revisions in red ink. D. Gartzke thought “*Both government parties agree that C&I development is good for the community*” was redundant. K. Seward thought it was more of an internal document to be shared potentially with lawyers to clarify the intent of both parties. N. Owen suggested changing *service* to *utilities*; without objection.

Discussion: **Updates**

- Garage Facility Study –see **Feedback on Alternate Garage Sites** above
- Library Board offer to purchase property - N. Owen stated that the discussions are continuing with the Swiss Center of North America. Some of the talks are focused upon access to the north of the Swiss Center of North America by way of a shared access. G. Thomson thought new State rules require detention of 90% of the water from an impermeable surface such as a parking lot which could have considerable impact upon the choice of this site, in his opinion.

Discussion/Action: **Establish List of Remaining Negotiation Items** – Seward thought the press release identifies the remaining negotiation items and asked for additional input. N. Owen questioned whether the Press Release should include the other prioritized goals that have previously been identified. G. Thomson thought additional press releases were possible and advocated to not delay an initial communication with the public. K. Seward asked whether the group should meet twice monthly instead of once monthly. Budsberg noted this decision would require semi-monthly caucus meetings for each municipal group as well. K. Seward asked the Village members to contact J. Salter when he returns on January 23, 2011 for his input.

The next meeting date was scheduled for Tuesday, January 25, 2011 at 6:00 PM at the Village Hall Boardroom. The following meeting was scheduled for Monday, February 7, 2011 at 6:00 PM at the Town Office.

Agenda items will include the following: Review all the Items of the January 13, 2011 Meeting with Jim Salter; Discussion with Library Board President; Jim Salter Report on Alternate Garage Sites; Consideration of Change of Committee Chair; Communication Status Draft Presented by Keith Seward; and Discussion/Action Regarding Redefining the Joint Public Works Needs Assessment for Public Works Facility; and Updates: Press Release; Joint Commercial/Industrial development language of Budsberg response; Revisions to the Black Line map proposed 1/13/2011 by Chair Seward.

7:48 PM – D. Gartzke moved to adjourn, 2nd K. Budsberg; motion carried.

Adjourn

Revised 110119

MINUTES ARE NOT OFFICIAL UNTIL NEXT SUBSEQUENT MEETING