Town of Verona Regular Town Board Meeting Town Hall Community Room 7669 County Highway PD, Verona WI 53593 Tuesday April 12, 2022 6:30 PM



PUBLIC SPEAKING INSTRUCTIONS

WRITTEN COMMENTS: You can send comments to the Town Board on any matter, either on or not on the agenda, by emailing mgeller@town.verona.wi.us or twithee@town.verona.wi.us or in writing to Town Board Chair, 7669 County Highway PD, Verona, WI, 53593.

- 1) Call to Order/Approval of the agenda
- 2) Pledge of Allegiance
- 3) Public Comment Comments on matters not listed on this agenda could be placed on a future meeting agenda. If the Chair or staff has received written comments for items not on the agenda, these may be read.
- 4) Approval of minutes from March 1st, 2022
- 5) Committee Reports
 - A. Plan Commission
 - 1. Discussion and Possible Action: Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for Preliminary Plat Approval (parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2, 062/0608-361-9100-7 (21 acres in total)).
 - 2. Discussion and Possible Action: Lane Use Application 2022-01 submitted by Nathan Lockwood on behalf of Epic Systems for a rezone of parcels 062/0608-081-9901-7, 062/0608-092-9152-0, 062/0608-093-8510-0 and 062/0608-093-8901-0 from AT-35 to RI
 - B. Public Works
 - 1. Discussion and Possible Action: 2022 Road Maintenance Bids and the use American Rescue Plan Act (ARPA) funds
 - C. Ordinance Committee
 - D. Financial Sustainability Committee
 - 1. Discussion: General Transportation Aid and American Rescue Plan Act Funds
 - E. Natural and Recreational Areas Committee
 - 1. Discussion: Purchase of Development Rights Presentation
 - F. EMS Commission
 - G. Senior Services Committee
 - H. Town Chair's Business
 - Supervisor Announcements
- 6) Staff Reports
 - A. Administrator/Planner Report

- B. Public Works Project Manager Report
- C. Clerk/Treasurer Report
- 8) Old Business
- 9) New Business

A. Discussion: Check Register Review

10) Adjournment

Regular board agendas are published in the Town's official newspaper, The Verona Press. Per Resolution 2016-2 agendas are posted at the Town Hall and online at www.town.verona.wi.us. Use the 'subscribe' feature on the Town's website to receive agendas and other announcements via email. Notice is also given that a possible quorum of the Plan Commission and/or Public Works, Ordinance, Natural and Recreational Areas, and Financial Sustainability Committees and could occur at this meeting for the purposes of information gathering only.

If anyone having a qualifying disability as defined by the American with Disabilities Act needs an interpreter, materials in alternate formats, or other accommodations to access these meetings, please contact the Town of Verona @ 608-845-7187 or twithee@town.verona.wi.us. Please do so at least 48 hours prior to the meeting so that proper arrangements can be made.

Mark Geller, Town Chair, Town of Verona

Sent to VP: 04/01/2022 Amended: 04/06/22 Posted: 04/08/2022



Town of Verona Strategic Planning Summary

Two strategic planning sessions held by the Town Board, committees, and commissions on November 11, 2017 and February 17th, 2018. The purpose of these sessions was to develop an updated vision statement and outline guiding principles for work going forward.

Town of Verona Vision Statement

To maintain the Town as an independent, financially sustainable, safe, and healthy rural community

Guiding principles

- Create a welcoming and inclusive community
- Provide efficient services
- Be fiscally responsible
- Anticipate and plan for growth
- Protect and enhance cultural and natural resources
- Maintain open and transparent government
- Coordinate and collaborate with neighboring jurisdictions/key partners

Town of Verona Town Board Meeting Tuesday, March 1, 2022

Town Board Members Present: Geller, Mathies, Lonsdorf, Wiederhoeft and Maxwell (via phone) Staff Present: Administrator/Planner Gaskell, Clerk/Treasurer Withee, Public Works Director Chris Barnes and Road Patrolman Mark Judd

Applicants Present: Noah Prieve, Brett Saalsaa

- Call to Order/Approval of the Agenda Chair Geller called the meeting to order at 6:33 pm. Motion by Wiederhoeft to approve the agenda, second by Mathies. 5 ayes, 0 nays, motion carried by voice vote.
- 2) Pledge of Allegiance
- 3) Public Comment none
- 4) Approval of minutes from February 1, 2022, Town Board Meeting. Gaskell stated she sent an updated packet out that included public comment to be included in the minutes. Motion by Mathies to approve minutes from February 1, 2022, motion to amend minutes by Lonsdorf asked why Willett was quoted in minutes he would like that sentence to be stricken from the record. 4 ayes, 1 nay (Geller) motion carried by voice vote.
- 5) Committee Reports

A. Plan Commission:

- i) Discussion and Possible Action: Land Use Application 2021-06 submitted by Noa Prieve on behalf of Stilwell Trust, 6411 Sunset Drive, for approval of the Final Plat and Declaration of Covenants (parcel number 062/060-364-8990-2 (20.3-acres)). Gaskell reviewed the staff report. The Plan Commission recommended approval of the Final Plat at their February meeting 5 0 with the following conditions:
 - a. Add note referencing shared driveway access agreement for Sunset Drive driveway.
 - b. Deed restriction limiting residences to single-family homes.
 - c. Remove note 7 as it no longer applies.

The Plan Commission recommended approval of the Declaration of Covenants at their February meeting 5-0 with the following conditions:

- a. Article 9.2: Remove reference to specific Town of Verona Dark Sky Ordinance.
- b. Article 9.2 b: add Accessory buildings must be placed within the building envelopes as approved on the Plat Map. (or similar language)
- c. Article 10: Remove the reference to 2.5
- d. Motion by Mathies to approve: Land Use Application 2021-06 submitted by Noa Prieve on behalf of Stilwell Trust, 6411 Sunset Drive, for approval of the Final

Plat with deed restriction limiting residences to single-family homes and Declaration of Covenants (parcel number 062/060-364-8990-2 (20.3-acres) Deed restriction limiting residences to single-family homes. Discussion by board. Second by Lonsdorf, 5 ayes, 0 nays, motion carried by voice vote.

- ii) Discussion and Action: Land Use Application 2020-10 submitted by Twin Rock LLC for approval of the Final Plat, Development Agreement and Declaration of Covenants for Dairy Ridge Heights near 2528 Spring Rose Road (062/0608-183-8681-0 and 0-608-183-31809). Gaskell reviewed the staff report. The Plan Commission reviewed this application at their January meeting and recommended approval of the Final Plat, Development Agreement, and the Declaration of Covenants of the application 4-0-1, with Miller abstaining, subject to the following conditions:
 - a. Revisions to include the comments provided by the Town's Attorney and the Plan Commission. The applicant has made the changes.

Motion by Mathies to approve Land Use Application 2020-10 submitted by Twin Rock LLC for approval of the Final Plat, Development Agreement and Declaration of Covenants for Dairy Ridge Heights near 2528 Spring Rose Road (062/0608-183-8681-0 and 0-608-183-31809), second by Lonsdorf. Discussion by board. 5 ayes, 1 nay by Maxwell, motion carried by voice vote.

iii) Discussion and Possible Action: Draft Land Division and Development Ordinance. Gaskell reviewed the staff report and process to revise the ordinance. The Plan Commission reviewed the draft at their January meeting to consider the comments received at the Public Hearing and from the Town Board. The draft was edited during the meeting for presentation of final draft to the Board. The Plan Commission recommends approval 5 -0. Motion by Mathies to approve Land Division and Development Ordinance, second by Geller. Discussion by board. Lonsdorf states he still objects to this ordinance. He stated that it does not reflect the mission statement in the beginning of the ordinance to protect the rural character of the town. Wiederhoeft pg. 17 3.1 2.c there is no reference regarding tree size listed in this section. Mathies stated that it is hard to make requirements across the board, but Twin Rock and Dairy Heights have large prairies. Woods at watch hill worked to preserve trees. Tree preservation has been considered in several instances and the ordinance does help meet the goals of the comp plan. Can't have detailed requirements to every situation and strongly disagrees with Lonsdorf's comments. Geller stated he feels this is a well written document that will be used for the next 10 – 15 years. This is more constrictive than even Dane County requires. He feels the town can continue to investigate the tree inventory issue; he does not feel this document is the place for that. He feels Plan Commission has produced an excellent document. Wiederhoeft states that issues from the comp plan are not addressed in this ordinance. Mathies stated that the comp plan is aspirational and not all goals will be met, there are several ways to meet those goals but does not necessarily need to be in this ordinance. This should not be denied because it doesn't address every issue in the comp plan. Lonsdorf stated he feels this is an improvement over Dane Co ordinance and doesn't feel the comp plan is aspirational document this should be the plan the town follows. Maxwell stated this document is written to respect the rights of the property owners and allows committees to make reasonable decisions. Must think about

property owners' rights and what town is able to enforce. Roll call Mathies aye, Lonsdorf no, Wiederhoeft no, Maxwell aye, Geller aye, motion carried by voice vote.

B. Public Works:

- i) Discussion: 10-year Capital Improvement Program Road Improvements. Wiederhoeft presented the 10-year Capital Improvement Program. Public works takes this seriously, but this is a working target and there are budget limitations. RFPs are required to be returned by March 7th in time for the Public Works Committee meeting and will be brought to the Town Board in April. Barnes reviewed the plan and discussed how he determines the road priorities.
- ii) Discussion and Possible Action: MMSD Pumping Station 17 Force Main Relief, Phase 2. Wiederhoeft discussed the Phase 2 plan. Lonsdorf is concerned about closing the Ice Age Trail and is strongly against alternate 1 and 2. He feels alternate 4 plan is the best option for the town. Barnes summarized the comments from the meeting and reviewed each option. Wiederhoeft stated that public works committee did not have a recommendation and there was no discussion. Geller prefers alternate 1 or alternate 2. He feels this will allow city of Verona to have future annexation opportunities. Geller feels this should not be a board recommendation, but individuals can submit their comments.
- C. Ordinance Committee: no meeting
- D. Financial Sustainability Committee: no meeting
- E. Natural and Recreational Areas Committee: Lonsdorf stated working on PDR PowerPoint presentation for the board. He prefers to work with the new board in May.
- F. EMS Commission: Lonsdorf stated they are doing a study on the use of lights and sirens.
- G. Senior Services Committee: Wiederhoeft stated the director sends monthly updates.
- H. Town Chair's Business: Would like to invite members to the upcoming WI Town Board association meeting being held in Barneveld. BOR has changed to one member must be certified every year, he will attend this to be certified. Reappointed to CARPC as treasurer and member of executive committee.
- I. Supervisor Announcements: none

6) Staff Reports

- a. Administrator/Planner Report -
- b. Public Work Director Report Mathies asked if there is any update on brush. Barnes stated two companies have shown interest in the program and he is in the process of setting up meetings with them.
- c. Clerk/Treasurer Report Nick Laird will be in person for board of review.

TOWN OF VERONA APPLICATION FOR LAND USE CHANGE

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Development Ordinance 05-04 (found on the Town website: (www.town.verona.wi.us) and Dane County Ordinances Chapter 10 – Zoning, Chapter 11 – Shoreland, Shoreland-Wetland and Inland-Wetland Regulations, and Chapter 75 – Land Division and Subdivision Regulations prior to application. A pre-application meeting or initial review should be scheduled with Town Staff and/or Plan Commission Chair if you have any questions or concerns and to determine the fees associated with the application.

| Proposed land use change for (property address/legal desc | cription): WARREN & MARY ANN OLSEN |
|---|--|
| 6466 SUNSET DRIVE | |
| Please check all that apply: | |
| comprehensive plan amendment – please see specific rezone petition | submittal requirement |
| current zoning category NER - 08 | |
| 9 9 , | |
| conditional use permit conditional use requested | |
| certified survey map | |
| x preliminary plat (couco PLAT) | |
| ☐ final certified survey map ☐ concept plan | |
| □ site plan | |
| □ request for Town road access | |
| Property Owner Phone 845-7972 | |
| Address 6466 SUNSET DR. | E-Mail WOLSEN @ CHORUS, NET |
| Address <u>6466 Sunset DR.</u> Applicant, if different from the property owner <u>Ronal</u> | D. R. KLAMS, D'ONOFRIO KOTTKE |
| | nail RKLAAS @ DONOFRIO.CC |
| If the applicant is different from property owner, please sign below to allow | the agent to act on behalf of property owner |
| | and against distribution of property official |
| I hereby authorizeto act as my agent in the application process for the above indicated land u | se change |
| to dot do my agont in the application process for the above indicated faild t | ise change. |
| Signature | Date |
| Description of Land Use Change requested: (use reverse s | side if additional space is needed) |
| 4 UNIT CONDOMINIUM PLAT | |
| | TO CHETTILE S THEOTHERS |
| HOME SITES | |
| certify that all information is true and correct. I understand that failure to p grounds for denial of my request. | rovide all required information and any related fees will be |
| tolk flam | 11-12-21 |
| Applicant Signature | Date |
| Print Name RONALD R KLAAS | |
| | |
| RETURN COMPLETED APPLICATION TO MAP/PLAN AND | OFFICE USE ONLY |
| ANY OTHER INFORMATION VIA EMAIL TO: | Application # |
| Sarah Gaskell, Administrator, Town of Verona | Fee |
| 7669 County Highway PD, Verona, WI 53593 sgaskell@town.verona.wi.us | Paid by |

Receipt #

(608) 845-7187

Planning Report

Town of Verona November 18th, 2021

6466 Sunset Drive

Summary: The applicant is seeking approval for a Condo Plat for parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2 and 062/0608-361-9100-7. The plat would create four units of approximately 5.4, 5.4, 3.6 and 3.6 acres in size, all zoned MFR-08.

Property Owner: Olsen Trust

Property Addresses: 6466 Sunset Drive

Applicant: Ron Klass,

D'Onfrio Kottke and Associates

Location Map



Comprehensive Plan Guidance:

The density of this area is Residential RR 2-4 acres, so 1 house per 2-4 acres. The parcel is currently in Metes and Bounds so a rezone is required.

<u>Current and Proposed Zoning</u>: The current zoning is RR 2. The new zoning would be MFR-08 for each unit because is the parcel is a proposed condominium. Currently 21 acres, the total parcel would consist of 4 units of similar sized acreages.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area C of the boundary agreement with the City of Verona and in the ETJ area of the City of Fitchburg. No further action is required with the City of Verona. The City of Fitchburg has indicated they will not approve any subdivisions for land in the ETJ area for parcels less than 35 acres and have no interest in rezone applications.

<u>Surrounding Land Use and Zoning</u>: The surrounding land uses are AT-35, RR 2 and MFR-08. The parcel is adjacent to the Deer Haven neighborhood.

<u>Site Features</u>: The site features woodlands and a residence and numerous sheds. The topography is slightly varied. There is a driveway that provides access from Sunset Road to the residence located in the northeast part of the parcel.

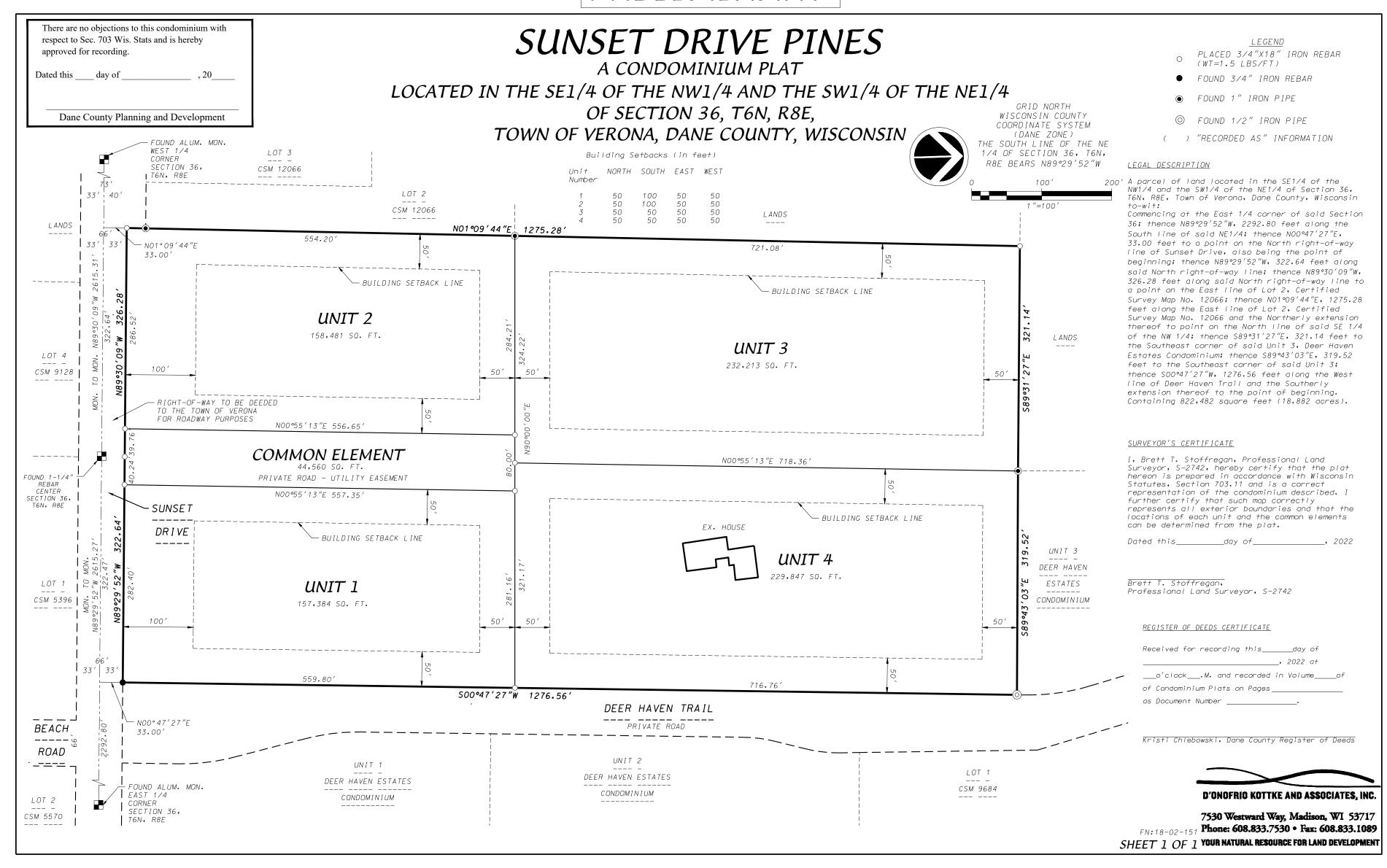
<u>Driveway Access</u>: It is anticipated that driveway access for all of the units will remain unchanged. Units 1, 2, 3 and 4 will share the existing driveway via a shared common element.

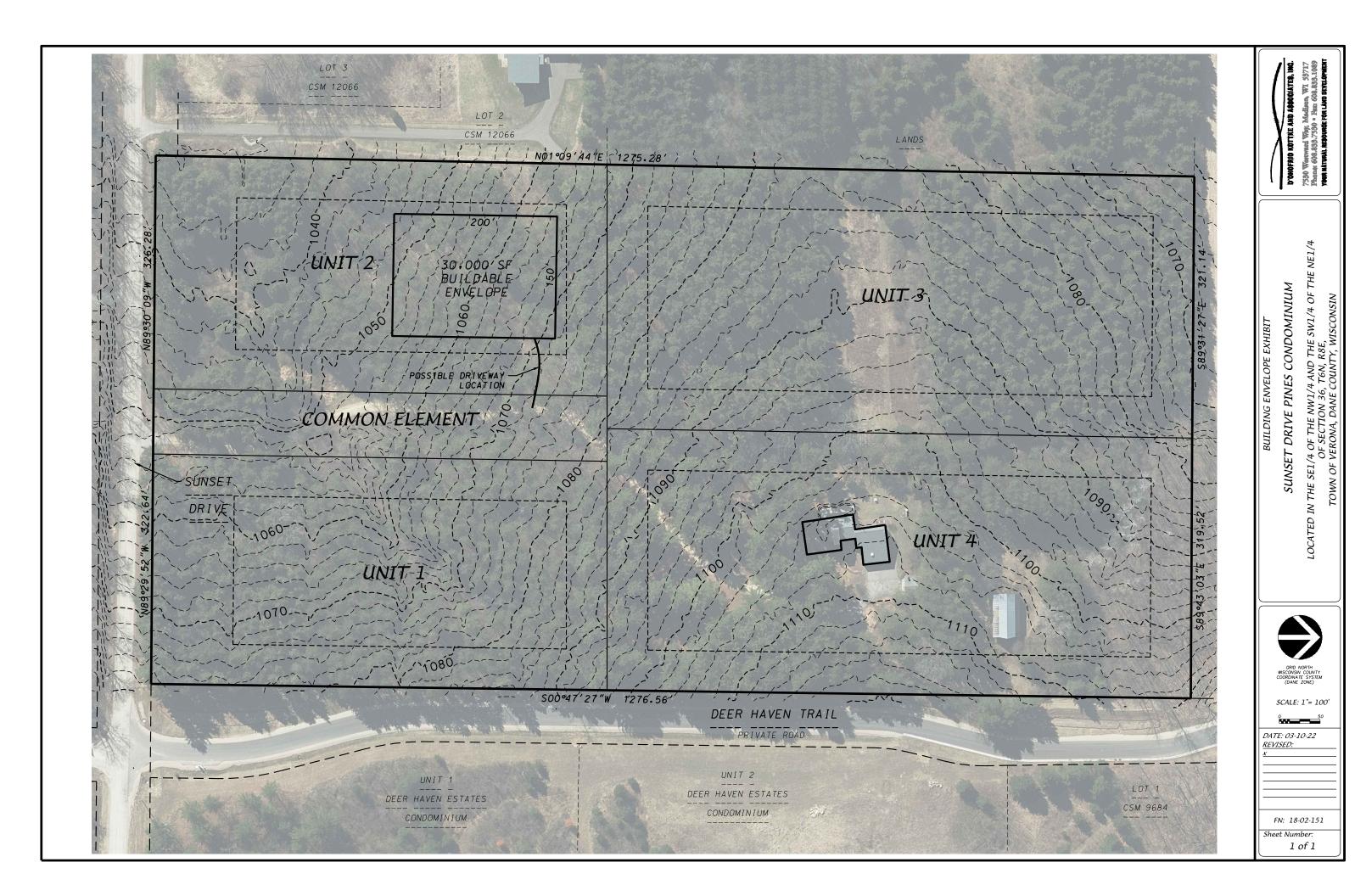
<u>Other</u>: Due to the proposed size of the units, it is anticipated that stormwater concerns can be handled individually on each unit instead of via an outlot/common element. All of the lands proposed for the rezone are currently in Managed Forest Land, until December 31, 2022. The rezone will result in the early withdrawal of this parcel and the applicant is aware of this.

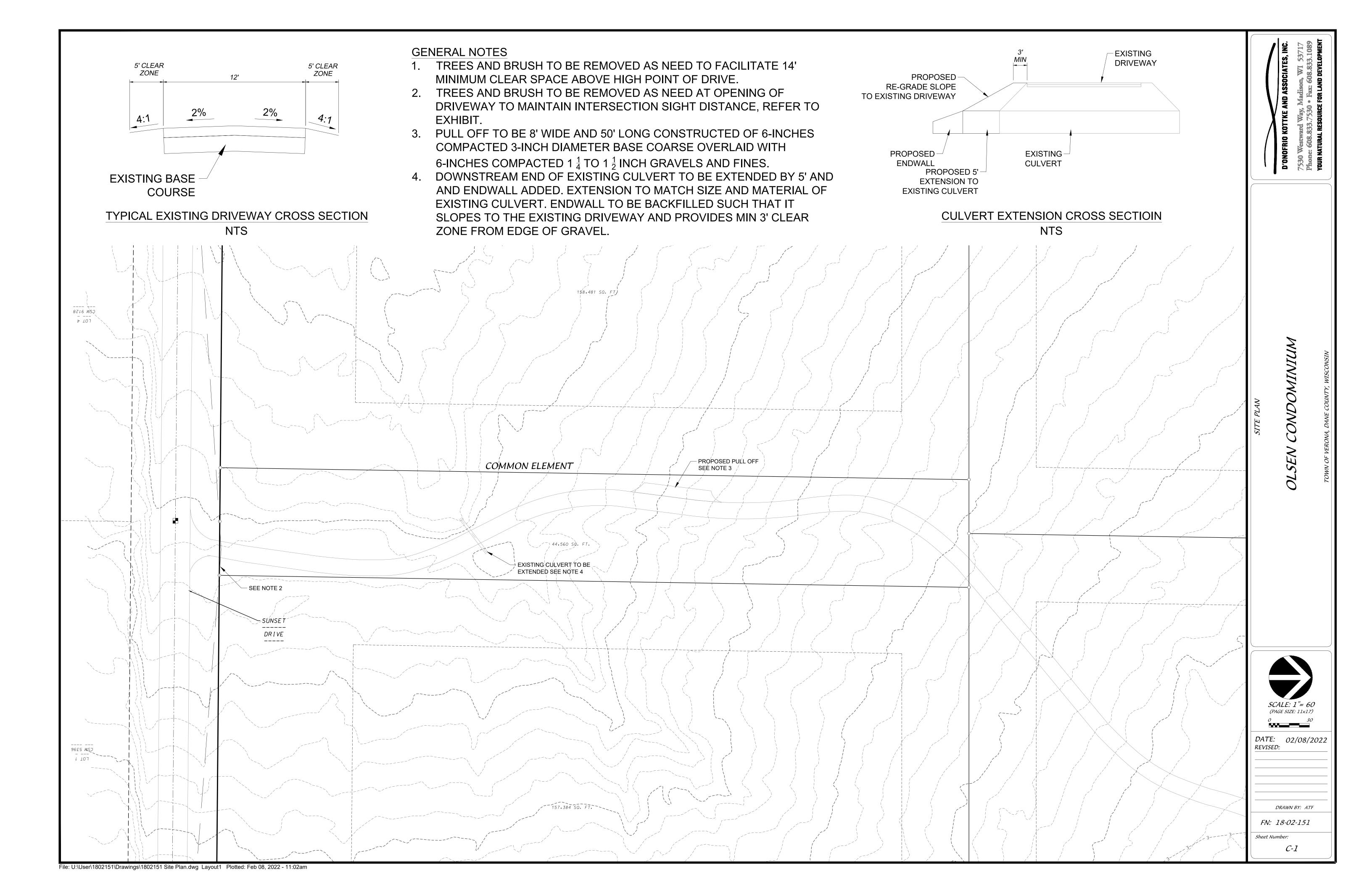
<u>Staff Comments</u>: Staff recommends approval of the Condo Plan and rezone with the following considerations:

- Access to Sunset Drive be accomplished by designating the shared driveway as a common element.
- Development Agreement approval
- Declaration of Covenants approval
- Final Plat approval

PRELIMINARY









State Bar of Wisconsin Form 3-2003 **QUIT CLAIM DEED**

THIS DEED, made between Warren G. Olsen and Mary Ann K. Olsen, as Trustees

Document Number

Document Name

| of Olsen Trust dated October 19,1993 | | | | |
|---|---|---|--|--------------|
| (' | 'Grantor,' | " whether one or more), | | |
| and The Town of Verona, a Wisconsin Municipal Co | orporation | n | | |
| Grantor quit claims to Grantee the following descrirents, profits, fixtures and other appurtenant inter County, State of Wisconsin ("Property") (if more addendum): A parcel of land located in the SE1/4 of the NW1/4 a Section 36, T6N, R8E, Town of Verona, Dane Count Commencing at the East 1/4 corner of said Section 36 (2292.80 feet along the South line of said NE1/4 to the N89°29'52"W, 322.47 feet along said South line to the thence N89°30'09"W, 326.67 feet along the South line N01°09'44"E, 33.00 feet to a point on the North right thence S89°30'09"E, 326.28 feet along said North right S89°29'52"E, 322.64 feet along said North right-of-v 33.00 feet to the point of beginning. The purpose of this Deed is to dedicate the above-decrew of Verona for Right of Way purposes. | ibed real erests, in space is space is and the SV ty, Wiscon 6; thence e point of the Center ne of said t-of-way ght-of-way line; the space is space in the context of the | Dane needed, please attach W1/4 of the NE1/4 of nsin to-wit: N89°29'52"W, beginning; thence of said Section 36; NW1/4; thence line of Sunset Drive; y line; thence thence S00°47'27"W, | Recording Area Name and Return Address 062/0608-361-9190-9 and 062/0608-3 Parcel Identification Number This is not (is) (is not) homestead process. | er (PIN) |
| * Warren G. Olsen, Trustee | (SEAL |) | | _(SEAL) |
| | (SEAL |) | | _(SEAL) |
| * Mary Ann K. Olsen, Trustee | (SEAL | * | | _(SEAL) _ |
| AUTHENTICATION Signature(s) | | AC STATE OF WISCONS | (| |
| authenticated on | · | | COUNTY) | |
| * TITLE: MEMBER STATE BAR OF WISCONSIN | N | | me on | |
| (If not, authorized by Wis. Stat. § 706.06) THIS INSTRUMENT DRAFTED BY: | | to me known to be the instrument and acknowledge. | e person(s) who executed the dedged the same. | foregoing |
| | | * | | |
| | | Notary Public, State of My Commission (is per | |) |

* Type name below signatures.

TOWN OF VERONA APPLICATION FOR LAND USE CHANGE

QB Receipt 2022-0056

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Dev (found on the Town website: (www.town.verona.wi.us) and Dane County Ordinances Chapte Shoreland, Shoreland-Wetland and Inland-Wetland Regulations, and Chapter 75 - Land Div Regulations prior to application. A pre-application meeting or initial review should be schedu Plan Commission Chair if you have any questions or concerns and to determine the fees ass

Proposed land use change for (property address/legal description): Epic, 1979 Milky Part of NE1/4 of the SW1/4, Part of the NW1/4 of the SW1/4, and Part of the SW1/4 of the NW1/4 of SNE1/4 of Section 8. All in Township 6 North, Range 8 East, Town of Verona, Dane County, Wisconsin

(608) 845-7187

| 112 if the decision of the first rewards of the first rewards and the country, wisconsin. Containing 3,370,305 Square reet |
|--|
| Please check all that apply: |
| comprehensive plan amendment – please see specific submittal requirement |
| 网 rezone petition current zoning category AT-35 |
| new zoning category Rural Industrial RI |
| conditional use permit |
| conditional use requested |
| □ preliminary plat |
| □ final certified survey map □ concept plan |
| □ site plan |
| □ request for Town road access |
| Property Owner Phone (608) - 271-9000 |
| Address 1979 Milky Way, Verona, WI 53593 E-Mail jschumac@epic.com |
| Applicant, if different from the property owner Nathan Lockwood |
| Applicant's Phone (608) 206-6873 E-mail nlockwood@donofrio.cc |
| If the applicant is different from property owner, please sign below to allow the agent to act on behalf of property owner. |
| Thereby authorize Nathan Lockwood |
| to act as my agent in the application process for the above indicated land use change. |
| 2/16/22 |
| Signature Januer SSulfundellon. Date |
| Description of Land Use Change requested: (use reverse side if additional space is needed) Epic purchased the Wingra quarry operation (mineral extraction permit did not transfer) with land use |
| as AT-35 but would like to operate housing of their grading contractor which better fits the RI zoning. |
| I certify that all information is true and correct. I understand that failure to provide all required information and any related fees will be grounds for denial of my request. |
| |
| Applicant Signature Date |
| Print Name |
| DETURN COMPLETED ADDITION TO MARKET M |
| RETURN COMPLETED APPLICATION TO MAP/PLAN AND ANY OTHER INFORMATION VIA EMAIL TO: OFFICE USE ONLY Application # 2022-01 |
| Sarah Gaskell, Administrator, Town of Verona |
| 7669 County Highway PD, Verona, WI 53593 Paid by Double Paid by Double Paid by Date 2:28:22 Check # \$535 |

Receipt #

Town of Verona March 1st, 2022

Former Wingra Quarry - 4 Parcels located near the west intersection of CTH PD and Northern Lights Road

Summary: The applicant is seeking approval for a rezone for parcel numbers 062/0608-081-9901-7 (1), 062/0608-092-9152-0 (2), 062/0608-093-8510-0 (3) and 062/0608-093-8901-0 (4). The rezone of all parcels would be from AT-35 to RI (Rural Industrial).

Property Owner: Epic Systems Corporation

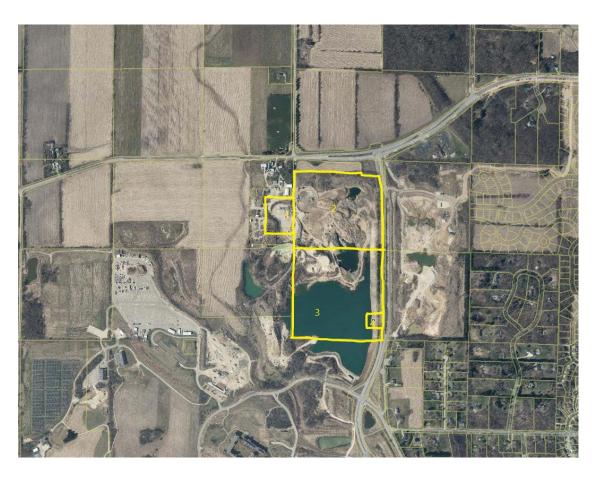
Property Addresses: n/a

Applicant: Nathan Lockwood

D'Onofrio Kottke and Associates

Location Man

Location Map



Comprehensive Plan Guidance:

Parcel 1 is designated as Commercial. The other three parcels are depicted as Natural/Recreational Resources. The change from AT-35 to RI would be appropriate due to both the past and current uses of the property. The rezone would bring the current use into alignment with the appropriate zoning category. Site operations will utilize a septic system and private well so urban services will not be needed.

<u>Current and Proposed Zoning</u>: The current zoning classification is AT-35. The new zoning classification would RI – Rural Industrial.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area A of the boundary agreement with the City of Verona. Further action will be required with respect to consultation with the City of Verona.

<u>Surrounding Land Use and Zoning</u>: The surrounding land uses include RM-16 and AT-35 to the west. The western boundary of the parcel abuts Glacier Landscape, Inc.

<u>Site Features</u>: The site was home to the former Wingra Stone aggregate quarry. The only structures on site were two blighted buildings that have recently been demolished and removed. The topography is varied but not due to the presence of natural features.

<u>Driveway Access</u>: Access is available via a shared driveway easement agreement with the neighbors to northwest (Ray Maurer, parcel number 062/0608-081-9502-0, 7407 County Hwy PD and Taylor Maurer, LLC 062/0608-081-9880-0).

<u>Other</u>: The applicant wishes to build an Accessory Building similar to those constructed elsewhere on the Epic Campus. The building will house contractor office space, material storage and vehicle service. Traffic to/from the site will be in the morning and evening and will be limited to employees. Haul trucks will continue to use the existing access located in the southern portion of the parcel 3. A small parking lot will also be constructed for employee use.

Please see the attached Operations Narrative provided by the Applicant.

<u>Staff Comments</u>: Staff recommends approval of the rezone with the following condition:

1. All outdoor lighting fixtures must comply with the Town of Verona Dark Sky Ordinance.





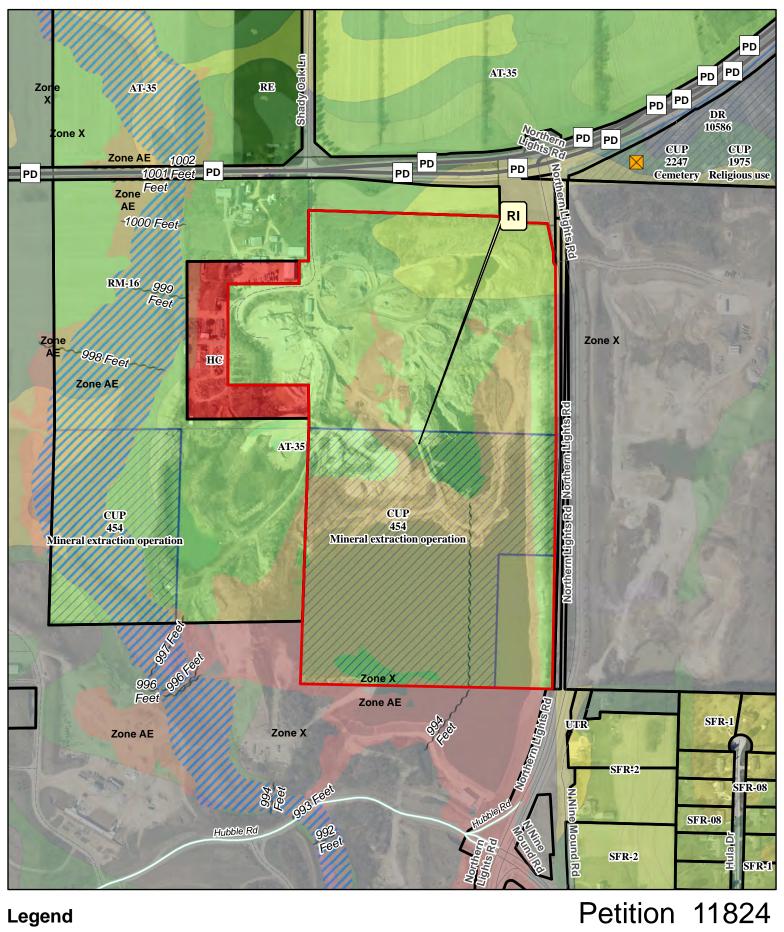




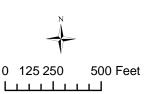




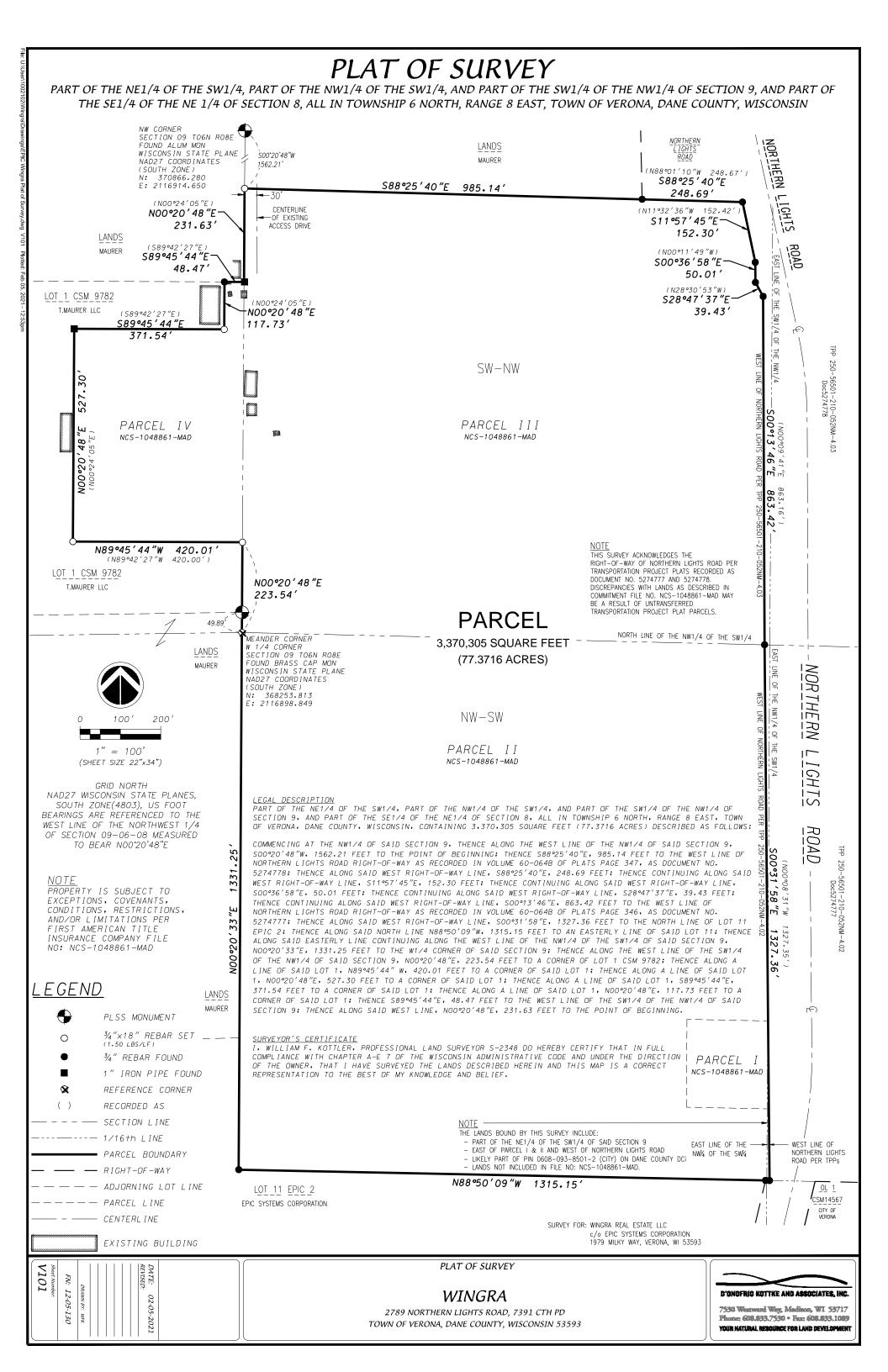








EPIC SYSTEMS CORPORATION c/o JAMES SCHUMACHER





03/10/2022 #####

EPIC QUARRY

EPIC SYSTEMS, VERONA WI

Epic Systems – Dane County Rezone Petition

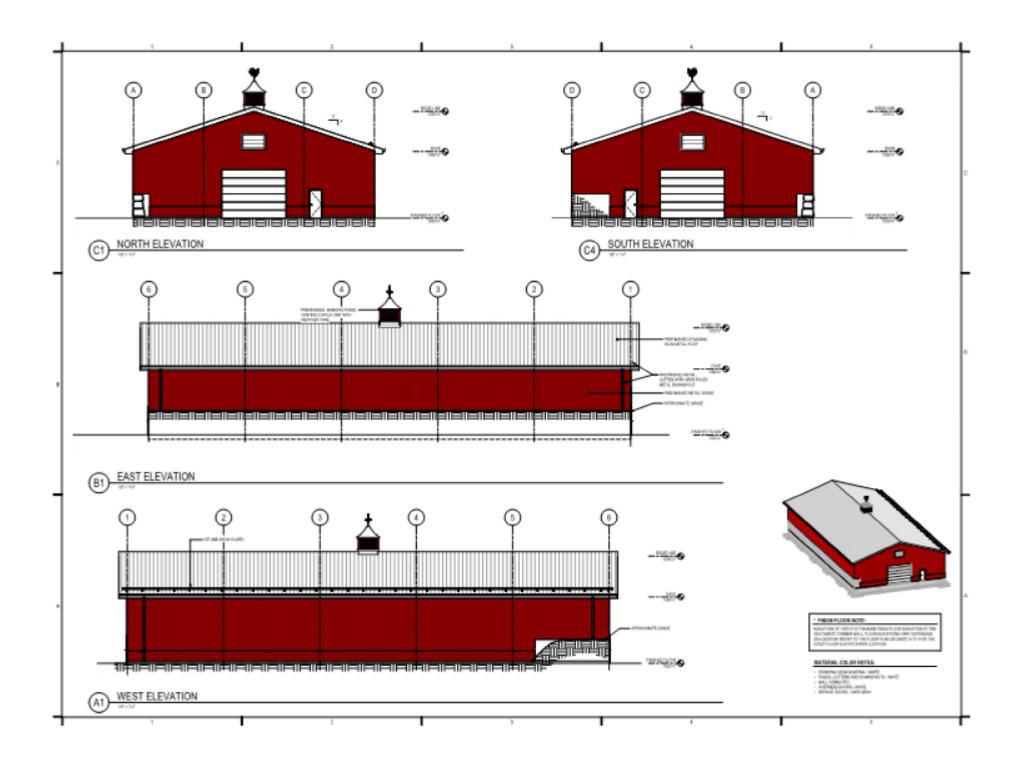
Operational Narrative

A portion of the old Wingra property is desired to be used as a shop and yard for Edgerton Contractors. Epic contracts Edgerton, the grading contractor, for ongoing construction at the Epic Campus in the adjacent City of Verona. The proposed shop will be used for Edgerton internal operations regarding work at Epic including repair of construction equipment. The proposed yard will be used to store construction equipment and various construction materials relating to Epic construction work. This property will not be used as public commercial space, there are no sales or services outside of Epic related work. This land and structure stages Epic's construction operation.

The property has existing piles of sand and aggregate material left by Wingra and is now the property of Epic. It is anticipated that this material will be transferred to the Epic site by way of an existing internal access road to the south.

Some rock crushing is expected on site to produced aggregate which will be used on the Epic site and not hauled off site or sold.

- Typical Hours of Operation Weekdays 7 am to 5 pm
- Extraordinary Hours of Operation Weekends 8 am to 7 pm (rare as construction warrants)
- Number of Employees
 - o The number of employees will range from 80 to 5 depending on the workload.
- Anticipated noise, odors, dust, soot, runoff, or pollution
 - We do not anticipate any odors, soot, runoff, or pollution.
 - We will have a water truck onsite to control dust and engineering controls will be used to minimize construction equipment noise.
- Material Storage
 - Stored materials include soil, rock, sand aggregate, signs, pipe, structures, fabric, and traffic control materials.
- Stormwater and erosion control standards
 - The property is internally drained so stormwater management and erosion control is no different than the previous quarry operation.
- Sanitary facilities
 - o The office will have restrooms that will connect to a new septic system.
- Trash, solid waste, and recyclable materials
 - O Dumpsters will be used for trash, solid waste, and recyclables
- Anticipated daily traffic
 - Employees will arrive using the north entrance around 7 am and depart from 3 pm to 5 pm most days.
 - Most construction equipment will enter the site from the south directly from Epic property.
 - On road trucks will enter either from the south or the north.
 - All trucks entering or leaving the site will be street legal.
- Hazardous, toxic, or explosive materials
 - We do not anticipate storing any hazardous, toxic, or explosive materials onsite.
- Outdoor lighting
 - The proposed office has a few lights attached to the building at the entrances.
 - The proposed parking area has a few light poles.
- Signs
 - There will be no signs other than the address sign.



DRIVEWAY EASEMENT AGREEMENT

This Agreement made this _____ day of _____, 2021, by and among Raymond L. Maurer and Shirley J. Maurer, husband and wife (hereinafter referred to as "Party A"), Epic Systems Corporation, a Wisconsin business corporation, (hereinafter referred to as "Party B"), and Taylor Maurer, LLC, a Wisconsin limited liability company (hereinafter referred to as "Party C"), (collectively, the "Parties").

RECITALS

A. Party A owns a parcel of real estate situated adjacent to, and south of, County Highway PD, in the Town of Verona, Dane County, Wisconsin, which parcel (hereinafter referred to as "Parcel A") is more particularly described on Exhibit A attached hereto.

Return to:

William L. Fahey Boardman & Clark LLP PO Box 927 Madison, WI 53701

(see attached Exhibits A, B and C)

Parcel Identification Number

- B. Party B owns a parcel of land situated adjacent to, and south of, Parcel A, which parcel owned by Party B (hereinafter referred to as "Parcel B") is more particularly described on Exhibit B attached hereto.
- C. Party C owns a parcel of real estate situated west of, and adjacent to, Parcel B, which parcel owned by Party C (hereinafter referred to as "Parcel C") is more particularly described on Exhibit C attached hereto.
- D. The Parties wish to state the terms under which an easement and right of way is granted over an existing driveway extending from and between Highway PD, through Parcel A, and continuing within Parcel B to the east line of Parcel C (the "Shared Driveway").

THEREFORE, the undersigned do hereby grant, declare and establish the following easement rights and restrictions:

- 1. Parcel A Driveway Easement. Party A hereby grants, declares, provides, establishes and confirms an easement and right of way (the "Parcel A Driveway Easement") over and across the west 66 feet of Parcel A (the "Parcel A Easement Area"), for use and benefit of the owners of Parcel B and Parcel C, and their respective tenants, contractors, invitees, licensees, guests and permitees (the "Parcel A Easement Permitted Users"). The Parcel A Driveway Easement shall be for the sole purpose of ingress and egress, including passage of pedestrians, vehicular traffic, machinery and equipment of the Parcel A Easement Permitted Users from and between Parcel B and County Highway PD. Such easement shall be subject to the following terms and conditions:
- (a) The Parcel A Driveway Easement shall be nonexclusive, and Party A shall have the full right to use the Parcel A Easement Area for any and all purposes, provided such use

shall not interfere with the easement rights granted hereunder to the Parcel A Easement Permitted Users.

- (b) Any Party may, at its expense, make reasonable improvements to the Parcel A Easement Area for driveway purposes, to maintain the surface area thereof and to remove snow therefrom.
- (c) No Party shall permit the Parcel A Easement Area to be obstructed by parked vehicles, the placement of dirt or snow thereon, or otherwise. It is intended that the Parcel A Easement Area shall at all times be open for driveway purposes serving each of the Parcels.
- (d) The Parcel A Driveway Easement, insofar as it extends for the benefit of the owners and permitted users of Parcel B, restates, replaces and supersedes the easement previously established for the benefit of Parcel B as set forth in the deed dated December 22, 1965 and recorded Volume 811 of Deeds, Page 502, Document No. 1150924, Dane County Registry.
- (e) The Agreement between Henry F. Maurer and Selma M. Maurer (on the one hand) and Wingra Stone Company (on the other hand), affecting ownership and use of Parcel A, Parcel B and Parcel C, which Agreement was dated December 22, 1965 and recorded in Volume 437, page 149, Document No. 1150925, Dane County Registry, is terminated and of no further effect.
- 2. Parcel B Driveway Easement. Party B hereby grants, declares, provides and establishes an easement and right of way (the "Parcel B Driveway Easement") over and across the existing driveway having a width of approximately fifteen (15) feet, extending from the South line of the Parcel A Easement Area, along and through the portion of the West side of Parcel B adjoining Parcel C, to the point such driveway enters the Eastern boundary of Parcel C (the "Parcel B Easement Area"). The Parcel B Driveway Easement is intended to provide a continuous route of travel over the Shared Driveway from County Highway PD, through Parcel C, and continuing through Parcel B, to the Eastern boundary of Parcel C. The Parcel B Driveway Easement shall be for the use and benefit of the owner of Parcel C and its tenants, contractors, invitees, licensees, guests and permitees (the "Parcel B Easement Permitted Users"). The Parcel B Driveway Easement shall be for the sole purpose of ingress and egress, including passage of pedestrians, vehicular traffic, machinery and equipment of the Parcel B Easement Permitted Users over the Shared Driveway extending from and between Parcel C and the Parcel A Easement Area. Such easement shall be subject to the following terms and conditions:
- (a) The Parcel B Driveway Easement shall be nonexclusive, and Party B shall have the full right to use the Parcel B Easement Area for any and all purposes, provided such use shall not interfere with the easement rights granted hereunder to the Parcel B Easement Permitted Users.
- (b) Either Party B or Party C may, at its expense, make reasonable improvements to the Parcel B Easement Area for driveway purposes, to maintain the surface area thereof and to remove snow therefrom.
- (c) Neither Party B nor Party C shall permit the Parcel B Easement Area to be obstructed by parked vehicles, the placement of dirt or snow thereon, or otherwise. It is intended

that the Parcel B Easement Area shall at all times be open for driveway purposes serving Parcel B and Parcel C.

- 3. <u>Damage</u>. If any portion of the Shared Driveway is damaged or destroyed by the permitted users of the owner of Parcel A, Parcel B or Parcel C (collectively, the "Parcels", and each separately as a "Parcel"), such damage shall be repaired as soon as reasonably possible at the sole cost and expense of such owner.
- 4. <u>Easements and Restrictions Run with Land</u>. All of the terms and conditions in this instrument, including the benefits and burdens, shall be appurtenant to and run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the owners of the Parcels and their respective successors and assigns. The benefits of the Parcel A Driveway Easement and the Parcel B Driveway Easement established under this instrument shall not be extended to any property other than the Parcels without the consent of the owners of the fee simple interest in the Parcels.
- 5. <u>Term.</u> The easements, rights of way and covenants created herein are intended to be perpetual, and shall be and remain in effect until amended or terminated by agreement of the Parties hereto, or their successors in interest.
- 6. <u>Amendment and Termination</u>. This instrument may not be amended or terminated except by a written document executed and acknowledged by the owners of each of the Parcels and duly recorded in the office of the Register of Deeds of Dane County, Wisconsin.

7. <u>Miscellaneous</u>.

- (a) No delay or omission by any Party, or its successors and assigns, to exercise any right or power accruing upon any noncompliance or failure of performance by another Party under the provisions of this instrument shall impair any such right or power or be construed to be a waiver hereof. A waiver of any Party, or its successors or assigns, of any of the provisions of this instrument to be performed by another shall not be construed to be a waiver of any succeeding breach thereof or any provision contained herein.
- (b) If any provision or portion of this instrument, or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable by virtue of any final judgment of any court of competent jurisdiction, the remainder of this instrument or the application of such provision, or portion thereof, to any other persons or circumstances shall be valid and enforceable to the fullest extent permitted by law.
- (c) No breach of this instrument shall entitle any party to cancel, rescind or otherwise terminate this instrument, but this limitation shall not affect, in any manner, all other rights or remedies which the party shall have by reason of any breach of this instrument.

| IN WITNESS WHEREOF, the p day and year first above-written. | parties have executed this instrument effective as of the |
|---|---|
| | Raymond L. Maurer |
| | Chigley I Moygog |
| | Shirley J. Maurer |
| STATE OF WISCONSIN)) ss. COUNTY OF DANE) | |
| Personally came before me this | day of, 2021, the above-named arer, to me known to be the persons who executed the ne same. |
| | |
| | Notary Public, State of Wisconsin. My commission: |
| | |

EPIC SYSTEMS CORPORATION

| | By: |
|---|--|
| | Its: |
| | |
| STATE OF WISCONSIN)) ss. COUNTY OF DANE) | |
| Personally came before me this | day of, 2021, the above-named |
| ind acknowledged the same. | to be the person who executed the foregoing instrument |
| | |
| | Notary Public, State of Wisconsin. |

TAYLOR MAURER, LLC

| | By: |
|--|---|
| | Its: |
| | |
| STATE OF WISCONSIN) ss. | |
| COUNTY OF DANE) | |
| Personally came before me this, to me known to | day of, 2021, the above-named be the person who executed the foregoing instrument |
| and acknowledged the same. | |
| | |
| | |
| | Notary Public, State of Wisconsin. |
| | My commission: |

This instrument drafted by: Attorney William L. Fahey Boardman & Clark LLP 1 South Pinckney Street, Ste. 410 PO Box 927 Madison, Wisconsin 53701-0927

EXHIBIT A LEGAL DESCRIPTION OF PARCEL A



Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 6 North, Range 8 East, in the Town of Verona, Dane County, Wisconsin, described as follows: Beginning at the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence East along the North line of said quarter-quarter, 1313.5 feet to the center line of Nine Mound Road; thence South 0 degrees 09' East, along said center line of road 231.0 feet; thence West 1315.5 feet to the West line of said Southwest 1/4 of the Northwest 1/4; thence North along said West line of quarter-quarter, 231.00 feet to the point of beginning, EXCEPT lands conveyed to Wingra Stone in Warranty Deed recorded in Volume 13677 of Records, page 91 as Document No. 2177672.

Further excepting therefrom the lands conveyed in Notice of Annexation Ordinance No. 15-868 recorded January 13, 2016 as Document No. 5208937 and in Warranty Deed recorded October 28, 2016 as Document No. 5279879.

Parcel No. 062/0608-092-9130-0

EXHIBIT B LEGAL DESCRIPTION OF PARCEL B



PARCEL I:

PART OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWN 6 NORTH, RANGE 8 EAST, IN THE TOWN AND CITY OF VERONA, DANE COUNTY, WISCONSIN, BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 9, TOWN 6 NORTH, RANGE 8 EAST, SAID POINT BEING IN THE CENTER OF THE HIGHWAY; THENCE NORTH ALONG THE CENTER LINE OF THE HIGHWAY, BEING THE EAST LINE OF SAID 1/4, 177.5 FEET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST 200 FEET TO A POINT; THENCE NORTH PARALLEL TO EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, 217.8 FEET TO A POINT; THENCE EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID PARCEL 200 FEET TO A POINT ON THE CENTER LINE OF HIGHWAY; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 TO POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Parcel No. 062/0608-093-8901-0 and 286/0608-093-8910-2

PARCEL II:

THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION 9, TOWN 6 NORTH, RANGE 8 EAST, IN THE TOWN AND CITY OF VERONA, DANE COUNTY, WISCONSIN.

EXCEPTING THEREFROM EXCEPT PART OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWN 6 NORTH, RANGE 8 EAST, TOWN OF VERONA, DANE COUNTY, WISCONSIN, BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 9, TOWN 6 NORTH, RANGE 8 EAST, SAID POINT BEING IN THE CENTER OF THE HIGHWAY; THENCE NORTH ALONG THE CENTERLINE OF THE HIGHWAY, BEING THE EAST LINE OF SAID 1/4, 177.5 FEET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE WEST 200 FEET TO A POINT; THENCE NORTH PARALLEL TO EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, 217.8 FEET TO A POINT; THENCE EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID PARCEL 200 FEET TO A POINT ON THE CENTER LINE OF HIGHWAY; THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 TO POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:

Property Address: 2789 Northern Lights Road, Verona

Tax Parcel No. 062/0608-093-8510-0 and 286/0608-093-8501-2

PARCEL III:

Parcel III-A:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 8 EAST, IN THE TOWN AND CITY OF VERONA, DANE COUNTY, WISCONSIN.

EXCEPTING THEREFROM PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWN 6 NORTH, RANGE 8 EAST (TOWNSHIP OF VERONA), DANE COUNTY, WISCONSIN, WHICH IS MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID SW 1/4 – NW 1/4; THENCE EAST, ALONG THE N LINE OF SAID QUARTER-QUARTER, 1313.5 FEET TO THE CENTER LINE OF NINE MOUNDS ROAD; THENCE S 0° 09' E, ALONG SAID CENTER LINE OF ROAD 231.0 FEET; THENCE WEST 1315.5 FEET TO THE WEST LINE OF SAID SW 1/4 - NW 1/4; THENCE NORTH, ALONG SAID W LINE OF QUARTER-QUARTER, 231.0 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM LANDS CONVEYED IN WARRANTY DEED RECORDED OCTOBER 18, 2016 AS DOCUMENT NO. 5276905.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Parcel No. 062/0608-092-9152-0 and 286/0608-092-9375-2

Parcel III-B:

Non-exclusive easement for ingress and egress contained in Deed, recorded in Volume 811 of Deeds, Page 502, as Document No. 1150924.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Parcel No. 062/0608-092-9130-0

PARCEL IV:

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 8 EAST (TOWNSHIP OF VERONA), DANE COUNTY, WISCONSIN, WHICH IS MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SAID SE 1/4 - NE 1/4; THENCE S 0° 21' W, ALONG THE EAST LINE OF SAID QUARTER-QUARTER, 422.5 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE S0° 21' W, ALONG SAID EAST LINE OF QUARTER-QUARTER, 685.0 FEET; THENCE N 89° 39' W, 420.0 FEET; THENCE N0° 21' E, 685.0 FEET; THENCE S 89° 39' E, 420.00 FEET TO THE POINT OF BEGINNING, EXCEPT FOR PROPERTY CONVEYED IN QUIT CLAIM DEED RECORDED IN VOLUME 13677 OF RECORDS, PAGE 92, AS DOCUMENT NO. 2177673.

FOR INFORMATIONAL PURPOSES ONLY:

Property Address: 7391 County Highway D, Verona

Tax Parcel No. 062/0608-081-9901-7

EXHIBIT C LEGAL DESCRIPTION OF PARCEL C



RI Rural Industry Zoning District

CH. 10-Zoning, Section 10.281

Purpose of the Rural Industrial District 10.281(1)

The Rural Industry Zoning District is intended to accommodate industrial, processing and extractive uses, where primary activity often occurs outdoors uses require large land areas and separation from residential uses; uses do not require full urban services or create intensive electrical, water or other utility demand, and; uses are appropriate to a rural area.

Permitted Uses 10.281(2)

- Office uses
- Contractor, landscaping or building trade operations
- Incidental parking for employees
- Indoor storage and repair
- Incidental indoor maintenance
- Outdoor storage
- Light industrial

- Utility services
- Undeveloped natural resource and open space areas
- Agricultural use
- Agricultural accessory uses, except farm residences
- Transportation, utility or communication use required by law.

Conditional Uses 10.281(3)

- Asphalt and concrete production
- Caretaker's residence
- Communication towers
- Commercial processing or composting of organic byproducts or wastes
- Demolition material disposal sites
- Dumping grounds
- Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources
- Incinerator sites

- Mineral extraction operations
- Outdoor sales, display, or repair
- Salvage vard or junkvards
- Slaughterhouses, meat processing plants
- Stock yards, livestock auction facilities
- Solid waste disposal or recycling operations
- Storage of explosive materials
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not required by law
- Wastewater treatment facilities

Setbacks, Height, and Size requirements 10.283 (4) & (6)

<u>Front setback for all structures</u> from highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet

minimum

All other streets: 30 feet minimum

Side Yards:

10 feet minimum each side

Rear Yards:

25 feet minimum

Height: 2 ½ stories or 35 feet maximum

Lot Width & Area: 10.273(5)

Area: 16 acres minimum Lot Width: 100 feet minimum

Lot Coverage 10.273(7)

Maximum 35% of all buildings on property

Town of Verona 2022 General Engineering (#8117857)

Owner: Town of Verona

Solicitor: MSA Professional Services - Madison

03/08/2022 01:00 PM CST MSA Project #00376038

| | | Item Description | | | | | | | Scott Construction, Inc | |
|-------------------------------|--------------|---|-----------|----------|------------|--------------|------------|--------------|-------------------------|--------------|
| Cartina Title | | | | | | Dolan, Inc. | | f Paving | | |
| Section Title | | • | UofM | Quantity | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
| PROJECT A : SUN: | | TH PB - BEACH RD) Mobilization/ Bonds/ Insurance | 1.0 | | Ć100.00 | Ć100.00 | ĆE 40.00 | ¢540.00 | ¢2.020.00 | ¢2,020,00 |
| | | Traffic Control | LS LS | 1 | | \$100.00 | \$540.00 | \$540.00 | \$3,029.00 | \$3,029.00 |
| | | Asphaltic Seal Coat | | | 7-00.00 | \$100.00 | \$300.00 | \$300.00 | \$500.00 | \$500.00 |
| | | HMA Leveling Course, 5LT | SY TON | 12490 | <u> </u> | \$23,356.30 | \$1.87 | \$23,356.30 | \$1.96 | \$24,417.95 |
| | | Sign Installation | EA | 1044 | \$71.00 | \$74,124.00 | \$79.00 | \$82,476.00 | \$77.10 | \$80,492.40 |
| | | Aggregate Shoulder 3/4-Inches | | 15 | \$180.00 | \$2,700.00 | \$210.00 | \$3,150.00 | \$185.00 | \$2,775.00 |
| | Ь | | TON | 250 | \$28.00 | \$7,000.00 | \$30.00 | \$7,500.00 | \$38.50 | \$9,625.00 |
| | | Total Project A, Items #1-#6: | | | | \$107,380.30 | | \$117,322.30 | | \$120,839.35 |
| PROJECT B : SUN | | EACH RD - BORCHERT RD) | | | 4 | 4 | 40 0 10 00 | 40.000 | 40 | 40 -00 00 |
| | | Mobilization/ Bonds/ Insurance | LS | 1 | | \$100.00 | \$2,040.00 | \$2,040.00 | \$2,700.00 | \$2,700.00 |
| | | Traffic Control | LS | 1 | | \$100.00 | \$425.00 | \$425.00 | \$200.00 | \$200.00 |
| | | Common Excavation | LS | | \$4,000.00 | \$4,000.00 | \$5,000.00 | \$5,000.00 | · , | \$4,000.00 |
| | | Saw Cutting | LF | 515 | \$2.50 | \$1,287.50 | \$2.25 | \$1,158.75 | \$2.50 | \$1,287.50 |
| | 11 | Dense Graded Base | TON | 220 | \$16.00 | \$3,520.00 | \$17.00 | \$3,740.00 | \$20.00 | \$4,400.00 |
| | | 24-Inch, Type D, 6-Inch Sloped Concrete | | | | | | | | |
| | 12 | Curb and Gutter | LF | 510 | \$20.20 | \$10,302.00 | \$26.50 | \$13,515.00 | \$21.00 | \$10,710.00 |
| | | Catch Basin, 5-Foot Dia. w/Neenah R-2563 | | | | | | | | |
| | | Casting | EA | _ | \$6,000.00 | - ' ' | \$7,500.00 | \$7,500.00 | · <i>'</i> | \$9,200.00 |
| | | Rip Rap, 6"-8" | SY | 6 | | \$360.00 | \$75.00 | \$450.00 | \$100.00 | \$600.00 |
| | | Asphaltic Seal Coat | SY | 5785 | \$1.87 | \$10,817.95 | \$1.87 | \$10,817.95 | \$1.96 | \$11,309.68 |
| | | HMA Leveling Course, 5LT | TON | 500 | | \$35,500.00 | \$83.00 | \$41,500.00 | \$77.10 | \$38,550.00 |
| | | Sign Installation | EA | 7 | \$180.00 | \$1,260.00 | \$210.00 | \$1,470.00 | \$185.00 | \$1,295.00 |
| | 18 | Aggregate Shoulder 3/4-Inches | TON | 105 | \$28.00 | \$2,940.00 | \$38.00 | \$3,990.00 | \$38.50 | \$4,042.50 |
| | | | | | | | | | | |
| | 19 | Topsoil, Seed, Fertilize and Erosion Matting | SY | 226 | \$8.00 | \$1,808.00 | \$8.55 | \$1,932.30 | \$7.00 | \$1,582.00 |
| | | Total Project B, Items #7-#19: | | | | \$77,995.45 | | \$93,539.00 | | \$89,876.68 |
| PROJECT C : GRAI | NDVIEW ROA | D | | | | | | | | |
| | 20 | Mobilization/ Bonds/ Insurance | LS | 1 | \$100.00 | \$100.00 | \$540.00 | \$540.00 | \$1,419.00 | \$1,419.00 |
| | 21 | Traffic Control | LS | 1 | \$100.00 | \$100.00 | \$325.00 | \$325.00 | \$500.00 | \$500.00 |
| | 22 | Asphaltic Seal Coat | SY | 19285 | \$1.87 | \$36,062.95 | \$1.87 | \$36,062.95 | \$1.96 | \$37,702.18 |
| | 23 | HMA Leveling Course, 5LT | TON | 1703 | \$71.00 | \$120,913.00 | \$76.00 | \$129,428.00 | \$77.10 | \$131,301.30 |
| | 24 | Sign Installation | EA | 13 | \$180.00 | \$2,340.00 | \$210.00 | \$2,730.00 | \$185.00 | \$2,405.00 |
| | 25 | Aggregate Shoulder 3/4-Inches | TON | 360 | \$28.00 | \$10,080.00 | \$24.00 | \$8,640.00 | \$38.50 | \$13,860.00 |
| | • | Total Project C, Items #20-#25: | | | | \$169,595.95 | | \$177,725.95 | | \$187,187.48 |
| PROJECT D : ROLI | LING OAKS LA | NE | | | | | | | | |
| | 26 | Mobilization/ Bonds/ Insurance | LS | 1 | \$100.00 | \$100.00 | \$540.00 | \$540.00 | \$621.00 | \$621.00 |
| | 27 | Traffic Control | LS | 1 | \$100.00 | \$100.00 | \$200.00 | \$200.00 | \$200.00 | \$200.00 |
| | 28 | Asphaltic Seal Coat | SY | 3232 | \$1.87 | \$6,043.84 | \$1.87 | \$6,043.84 | \$1.96 | \$6,318.56 |
| | 29 | HMA Leveling Course, 5LT | TON | 170 | \$83.00 | \$14,110.00 | \$95.00 | \$16,150.00 | \$96.40 | \$16,388.00 |
| | 30 | Sign Installation | EA | 1 | \$180.00 | \$180.00 | \$210.00 | \$210.00 | \$185.00 | \$185.00 |
| | | Aggregate Shoulder 3/4-Inches | TON | 24 | | \$1,080.00 | \$78.00 | \$1,872.00 | \$45.00 | \$1,080.00 |
| | • | Total Project D, Items #26-#31: | | | | \$21,613.84 | | \$25,015.84 | | \$24,792.56 |
| Base Bid Total, Items #1-#31: | | | | _ | - | \$376,585.54 | | \$413,603.09 | 1 | \$422,696.06 |



P (608) 242-7779 TF (800) 362-4505 F (608) 242-5664 www.msa-ps.com

March 10, 2022

Mark Geller, Town Chair Town of Verona 7669 CTH PD Verona, WI 53593

Re: Town of Verona 2022 Roadway Maintenance Projects

Town of Verona

Dear Mr. Geller:

Upon review of the bids received on March 8, 2022 for the above-referenced project, it was found that they were submitted by qualified contractors. It is our recommendation that the low responsive bidder listed below be accepted and award made at your next meeting.

Payne & Dolan, Inc. 6295 Lacy Road Fitchburg, WI 53593

Bid Amount \$376,585.54

Please execute the enclosed Notice of Award for the contract. Once the form is signed, please email a copy back to ldeuchars@msa-ps.com. After receiving the executed copy, we will forward one copy of the Notice of Award and the remaining contract package to the Contractor.

Sincerely,

MSA Professional Services, Inc.

Kevin Loud

Kevin Lord

Senior Team Leader - Engineering

KL:ld Enc.

TOWN OF VERONA

TO: Town Board of Supervisors DATE: April 6, 2022

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: 2022 Road Maintenance Project

ACTION RECOMMENDED that the Town Board:

1. Award a contract to Payne and Dolan, Inc. in the amount of \$376,585.54 for paying and chip seal of various roads.

- 2. Supplement the shortfall in the Town capital budget for road construction with funds from the Town allocation of American Rescue Plan Act (ARPA) funds in the amount of \$49,061.00.
- 3. Execute an agreement with Dane County in the approximate amount of \$6,150.00 for pavement striping.
- 4. Authorize the purchase of new regulatory and warning signs from Decker Supply Co. Inc. in the approximate amount of \$4,294.00.

As part of the 2022 Capital Improvement Plan, three roads were selected for improvements this year: Sunset Drive, Grandview Road, and Rolling Oaks Lane. The improvements generally consist of asphalt wedging and leveling of poor or distressed areas, aggregate chip seal, sign replacement, and restriping of existing pavement markings. Also included in the program is the construction of approximately 500 feet of concrete curb and gutter along a section of Sunset Drive, east of Beach Road, to control erosion along the road edge. The concrete gutter will terminate into a french drain structure to collect debris and sediment before discharging into the Sunset Drive ditch. The 2022 town budget for road maintenance is \$349,968.00.

The project bids were received on March 8, 2022 with three companies submitting bids. A summary of the received bids as well as a complete tabulation is attached. Based on the current road conditions, logistics, and available funding, staff recommends awarding all of the projects to Payne and Dolan, Inc.

As is typical with road construction bid on constructed quantities, the project could come in under or over the bid amount. If during construction the staff recognizes that the project will come in below budget, staff will review other town roads in need of remedial

repair. If this is the case, staff will return to the Board with the appropriate change order documentation for approval.

Payne and Dolan, Inc. has completed many similar projects for the Town, and are qualified to complete the project. If awarded, the project is scheduled to be completed by July 31, 2022.

Currently the town has an unencumbered balance of American Rescue Plan Act (ARPA) funds in the amount of \$72,000.00. The shortfall in the Town capital budget for road construction may be supplemented with funds from the Town allocation of American Rescue Plan Act (ARPA) in the amount of \$49,061.00.

On March 15, 2022 the Public Works Committee met and reviewed the received bids and funding strategy. The Committee passed a motion to recommend award of the project to the Town Board.

Attachments

CALENDAR YEAR 2022 FINAL GTA CALCULATION

Note: Counties are **not** eligible to be factored as a Rate per Mile calculation.

INPUT GTA FIGURES:

CVT Code: 13062 NAME: TOWN OF VERONA

DANE COUNTY

6-Year Average Cost(2015-2020): \$819,558.08 Mileage as of 01/01/2020: 42.35
3-Year Average Cost(2018-2020): \$648,982.17 Mileage as of 01/01/2021: 42.04

2020 Submitted Costs: \$718,170.50 **2021 Aids:** \$139,399.52

CALCULATION STEPS:

1. Calculate Preliminary Share of Costs (SOC) and Rate Per Mile (RPM)

SHARE OF COSTS RATE PER MILE (Municipalities only)

(6-Year Average Costs x SOC Percentage) = SOC Amount (Mileage x Rate Per Mile) = RPM Amount

 6-Year Average Cost:
 \$819,558.08
 Mileage as of 01/01/2021:
 42.04

 SOC Percentage:
 16.4945%
 Rate Per Mile:
 \$2,681.00

 SOC Amount:
 \$135,182.11
 RPM Amount:
 \$112,709.24

2. Determine Preliminary Amount (Greater of SOC or RPM Amount)

Note: RPM Amount is not applicable to counties

SOC Preliminary Amount: \$135,182.11

3. Calculate Minimum and Maximum Adjustments

SHARE OF COSTS

Maximum = No greater than 115% of previous year aid payment

 $\label{eq:minimum} \mbox{Minimum = Eligible for no less then 90\% of previous year aid payment}$

RATE PER MILE

Maximum = No Maximum Payment Amount

Minimum = Eligible for no less then 90% of previous year aid payment adjusted for any increase or decrease of certified mileage

 % Change in Certified Miles:
 N/A
 Adjustment Amount:
 \$0.00

 Minimum 2022 Cushion:
 \$125,459.57
 Adjustment Type:
 N/A

 Maximum 2022 Cushion:
 \$160,309.45
 2022 Adjusted Amount:
 \$135,182.11

4. Apply Cost Cap(Municipalities ONLY)

No municipality may receive more than 85% of its 3-year average costs. If the Adjusted Amount above exceeds the 85% Cost Cap, the Payable Amount is reduced accordingly.

3-Year Average Cost: \$648,982.17 Cost Cap Reduction Amount: \$0.00

85% Cost Cap: \$551,634.84 **Payable Amount:** \$135,182.11

5. Apply Filing Penalty

Penalty is applied to Payable Amount if DOR Financial Report is filed late or not filed at all.

Filing Penalty Descriptions: N/A Filing Penalty Amount: \$0.00

FINAL GTA AMOUNT: \$135,182.11

Find the description of the calculation process and data definitions on the GTA home page at: http://wisconsindot.gov/Documents/doing-bus/local-gov/astnce-pgms/highway/gta-glossary.pdf

General Transportation Aids and ARPA Funds

Information on General Transportation Aids (GTA):

https://wisconsindot.gov/pages/doing-bus/local-gov/astnce-pgms/highway/gta.aspx

From the "Description of the calculation process" document:

GTA staff obtains these figures from the Municipal Financial Report Form each local community files annually with the State of Wisconsin Department of Revenue (DOR). Annual costs used to calculate GTA payments are *net local expenditures*, and do not include costs funded by state or federal grants or other aids programs.

This appears to be based on Wis. Stat. § 86.303(6)(d):

Road, street or alley costs not eligible include costs that are financed with public funds other than road or street funds, items that are by statute, ordinance or local policy not a public expense or responsibility and all administrative costs.

https://docs.legis.wisconsin.gov/statutes/statutes/86/303/6/d

I asked the Wisconsin Towns Association if this exclusion applies to ARPA funds used for highway costs. Here's the March 15th reply:

Many towns have asked a similar question. We are currently working with DOR to provide an answer. We will include a response in an upcoming magazine article.

Purchase of Development Rights

Town of Verona Spring 2022

What is Purchase of Development Rights (PDR)?

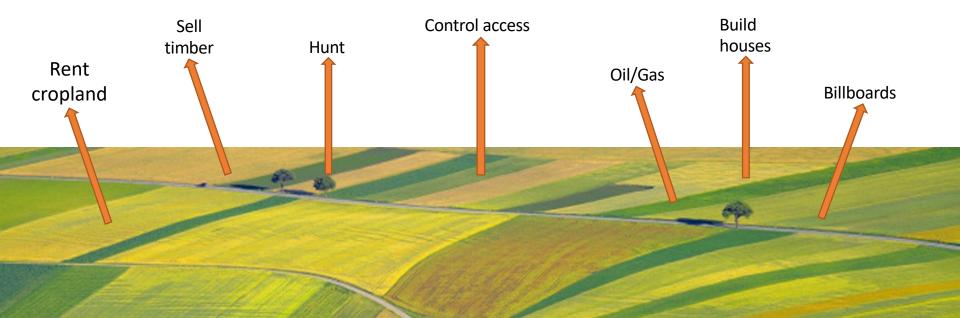
- Program to help preserve farmland & natural areas
- Landowner participation <u>voluntary</u>
- Residents contribute money through tax assessment
- Matching funds provided by other agencies (Land Trusts, Dane County, State government)
- Town manages fund to purchase development rights on selected properties

What is Purchase of Development Rights (PDR)?

- Perpetual easement on property
- Land remains in <u>private ownership</u>
- Property may be sold/inherited; easement remains
- Easements can be on portions of a property
- Legal document called <u>Conservation Easement</u>

What are "rights of ownership"?

- Private land "rights" can be separated individually
- With PDR landowner can retain other rights



Why is this important?

- Preserves farmland for farming
- Preserves natural areas
- Provides needed funds to participating landowners
- Helps preserve Town's 'rural character'
- Discourages annexation

How does this help landowners?

- Funds available to pay off debt
- Funds for needed purchases
- Offers alternative to selling
- Can be significant tax deduction

How does this benefit residents?

- Protects important resources
- Preserves quality of life
- Reduces increases in property taxes for public services needed for residential development
- Discourages annexation by neighboring cities

Value of development rights determined by:

- Two assessments of the land made by a <u>special assessor</u>
 - One is potential value for development
 - Other is the value as farmland
- Difference between them = value of the PDR

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Example:

- The Smiths' land assessed at \$\\$3 million for development
- The Smiths' land assessed at \$2 million as farmland
- Difference = \$1 million: the value of development right & price to purchase it

How is funding a PDR program accomplished?

- Referendum for property tax levy similar to a school referendum
 - Example #1: (for \$500,000 home)
 - \$50 levy per \$100,000 property value = \$250 additional tax payment
 - Town of Verona has \sim \$386 million in assessed value, so this raises \$193,000/year

Example #2:

- \$100 levy per \$100,000 property value = \$500 additional tax payment
- Raising \$386,000/year
- These funds, <u>plus funds from partner agencies</u>, purchase development rights from participating landowners

What "partner agencies" might work with us?

- Groundswell Conservancy
- Dane County Conservation Fund
- USDA Farmland protection program
- State of Wisconsin Knowles-Nelson Stewardship program
- Federal Land and Water Conservation Fund
- Ice Age Trail Alliance

When could a PDR program happen?

- Spring 2022 Town Board approves to proceed
- Summer & Fall 2022 public information programs
- Summer & Fall 2022 work with other agencies & refine program
- Spring 2023 referendum for voter approval
- Summer 2023 set up Commission to develop criteria & solicit landowners for proposals
- 2024-25 First PDR purchases

What is a "Town PDR Commission"?

- 5 7 members
- Administers program with Board oversight & approval
- Evaluates properties using merit-based point system
- Recommends properties to Town Board
- Partner agency helps monitor properties for compliance

PDR programs working in neighboring towns:

Town of Dunn: PDR program for 20+ years

- Over 5,000 acres of land protected
- Avoided annexations by three neighboring cities
- Popular with farmers & residents

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Town of Dunkirk: new PDR program

- Just making first purchases
- 12 applicants in the first year!

*Both towns offered assistance & use of outreach materials

Key steps to move forward

- Town Board approves concept & use of town resources
 - Staff help with referendum & resident survey
 - Town Hall for informational meetings
 - Announcements on Town website
- Town residents approve referendum
- Landowners apply & participate

Natural & Recreational Areas Committee 2021-2023

Bill Keen, Chair

David Lonsdorf, Board Supervisor

Rosemary Bodolay

Jo Tucker

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Sarah Gaskell, Planner/Administrator

SUBJECT: Administrator Report for April 2022

Upcoming Meetings

• NRAC – April 14th, 6:30pm Town Hall

- Public Works April 18th, 6:30pm Town Hall
- Annual Town Meeting April 19th 7pm Town Hall
- Plan Commission no meeting this month
- Financial Sustainability no meeting this month

General

- Town Hall exterior painting when weather allows
- HVAC repair will occur once parts received
- April 30th reporting deadline for ARPA funds expended to date

Work Plan

- Annual meeting
- Finalize Audit 90% complete
- ARPA project determination; April 2022 reporting deadline
- Town Board Supervisor Handbook
- Town Board Annual Workshop
- Communications Plan
- Emergency Plan
- Impact Fee Analysis

TOWN OF VERONA

TO: Town Board of Supervisors **DATE:** March 31, 2022

Public Works Committee

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Monthly Report – March 2022

The monthly Public Works Department Activity report is submitted for the information and review of the Board and the Committee. March was an active month with winter snow and ice events, and beginning spring cleanup when weather was suitable. Numerous citizen and resident concerns and action requests were received and addressed on a daily basis. If you should have any questions, please let me know.

Road Maintenance Activities

- Responded to snow/ice events on 3/7, 3/17, 3/23, 3/31
- Assisted in preparation d for roadside clean up to be held on Woods Road on Earth Day.
- Picked up fly dumping debris from various locations
- Prepared town-wide brush program survey.
- Enforced the seasonal weight limit restricted roads.

Equipment and Facility Activities

- Activated additional community room microphones
- Deep cleaned public works garage and vehicles to precent salt corrosion
- Received 100 tons of road salt allotment

Sanitary Sewer Utility Activities

- Approved quotes for 2022 sewer cleaning and televising bids.
- Met with Madison Metro Sewerage District staff to discuss the upcoming force main relief project, assisted in defining the parameters for route selection
- Responded to 3 Digger Hotline utility relocate request

Engineering Activities

- Submitted Design report for the Valley Road bridge project.
- Prepared a summary of the Fitchrona Road/Goose Lake Study
- Completed an analysis for Federal Infrastructure funding (BIL) for road projects. Federal 2022 funding was not feasible for Fitchrona Road, Whalen Road or Maple Grove Road based on the required schedule and amount of reconstruction required.
- Issued 2 driveway permits (Twin Rock Road)
- Received the 2022 road improvement program bids for Grandview, Sunset, Rolling Oaks. Received quotes for new regulatory highway signing with Decker Supply and road restriping with Dane County

cc: Sarah Gaskell, Town Planner/Administrator Mark Judd, Road Patrolman

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Teresa Withee, Clerk/Treasurer

SUBJECT: March 2022 Clerk/Treasurer Report

Clerk

Attended Town Board meeting and recorded minutes.

- Coordinated with election workers regarding scheduling for the April election.
- Reviewed information in WisVote; Reg Alerts, set up town portion for April election
- 154 Absentee Ballots were mailed on March 15th for the Spring Election with an additional 63 mailed prior to the election. 160 absentee ballots were returned for processing, they are entered into WisVote and then alphabetized for election workers on election day for more efficient processing.
- Badger Books were configured by WI Elections Commission. Attended WEC training
 with two chief election inspectors. Conducted three training sessions at town hall with a
 total of 14 election inspectors learning how to use the new Badger Books.
- Conducted the public test of the election equipment on March 29th.
- Prepared for the election by setting up Badger Books, tables, election booths, supplies for election workers and all appropriate notices. Prepared the Express vote and DS200 with security seals.
- Prepared clerk portion of the inspector statement for the chief inspector.

Treasurer

- Attended Financial Sustainability Committee Meeting and recorded minutes.
- Reviewed invoices, prepared checks and check review report for town board.
- Worked with town assessor to research and prepare response and memo for property tax appeal.
- Prepared for annual Board of Review, reviewed members training records, printed objection forms, prepared notices and posted.
- Researched and responded to follow up questions with auditors.
- Continue to process dog licenses, file paper applications, entered in QuickBooks and the county spreadsheet.
- Monthly bank reconciliations.