

COOPERATIVE BOUNDARY COMMITTEE
VILLAGE OF DRESSER & TOWN OF OSCEOLA
JOINT MEETING
MINUTES – JUNE 20, 2016

Pursuant to due call and notice thereof, a Cooperative Boundary Committee meeting was held on Monday, June 20, 2016, at the Dresser Community Hall, 115 W Main Street, Dresser WI. This meeting was posted as a Joint Meeting between the Cooperative Boundary Committee, The Village of Dresser Board of Trustees and The Town of Osceola Board of Supervisors. Gustafson called to order the meeting at 6:30 PM. Roll Call was taken. Members of the committee present: Mike Wallis, Jim Thanig, Neil Gustafson, and Wayne Moberg. Also present Jodi A Gilbert, Clerk/Treasurer Village of Dresser; Village of Dresser Board Members: Bryan Beseler, Elina Kuusisto, Grace Bjorklund, Cathy Frandsen, Darron Nelson(Arrived Late), and Richard Durand; Town of Osceola Board of Supervisors: Doug Schmidt and Dan Burch. Members of the public present: Jim Rochford Sr., and 6 other people from the public. The Standard Press/Ledger Newspaper, The Inter-County Leader and The Osceola Sun newspapers were present.

Wayne Moberg has agreed to continue to serve on the Cooperative Boundary Committee.

Motion Wallis/Gustafson to approve the minutes of the Cooperative Boundary Committee Meeting – May 16, 2016. All in Favor. Motion Carried.

Citizen Comments: Gustafson called for citizen comments. No comments were made.

Discussion was held regarding the development of a Cooperative Boundary Agreement between the Village of Dresser and the Town of Osceola Draft Revision 5/16/16. Gustafson state I hope everyone has had a chance to browse through the agreement and proposed map. Some background on this - we looked at other agreements out there, since there is not a good road map to follow. We found one that was similar to our area and had a similar reason for development. We drafted our plan off of using both of our Comprehensive Plans which are in effect through 2030. This plans time frame should coincide with the Comp Plans and we feel it is consistent with the current Comp Plans. On the map you have in your packet there are two shaded areas. As we sat down and looked at the irregular borders it helped us to make sense as to where the growth areas should be. The south end already had housing development so we squared up the south border. The rest of the border is on the northwest side. We filled in that area and worked it up towards the existing western border. The south growth area is designed for residential and the north would be industrial growth area to match the Comp Plan. What remains would be annexed with joint approval. We didn't take away any rights. There would be regular annexation along with joint annexation. It was discussed waiving the 5 year taxes – normally when the Village annexed property they would pay the Town 5 years of taxes going forward. It is proposed in the growth areas that the Village would not need to pay those taxes. Gilbert stated I don't believe this is written in the agreement. Schmidt stated I was wondering why we waived that. Gustafson stated it came down to

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what was in this for the Village of Dresser? This is the only key benefit to the Village of Dresser. Schmidt stated I know that, but it is 5 years of taxes – a huge chunk of change. Why is the Village doing this? Wallis stated it is a compromising process. Taxes are a negotiating factor and the Town gets security on the rest of the border. Beseler stated some plans have forced annexation. This plan does not have that. Gustafson stated that was the negotiating point. Wallis stated outside the growth area you have joint approval – the other requirement of extraterritorial plat review was discussed. This would mean that an individual would not have to go to the Village. Beseler stated when reading Section 19.01 is this only for development outside the growth areas. What if you have an area that requires only town approval and in exchange the developer doesn't have to come to the Village – you are saying that the Village would waive all extraterritorial plat review? Bjorklund stated this is not a good move. Beseler stated my feelings on it are there is a long history on plat reviews. The Village was not critical when it looked at Larson Auto for instance and the width of the roads, but we had the opportunity. Waiving that opportunity allowing a property to develop to Town specification and then having them request annexation and not having road widths etc. right is not in our best interest. Beseler stated the Village needs to still have input. Wallis stated it is a logic base approach if they are less apt to annex it is not necessary. The Village would take that into consideration Beseler stated. Bjorklund stated then Section 19.01 could be changed. Beseler stated it could be completely taken out. Schmidt stated waive the 10 year moratorium. Annexation would be subject to this agreement. Any development within 5 miles of the boundary maybe narrow it to 2 miles. Schmidt stated one thing concerns me is if they keep the extraterritorial review. Beseler stated it lets us review subdivision proposals. Wallis stated currently the Village does that - part of this agreement was to remove that authority. All that they are asking is to currently still do it – some mileage from the boundary needs to be reviewed. Schmidt stated and we lost tax revenue. This extraterritorial review has nothing to do with taxes. If the agreement goes forward it is giving you a seat at the table. Gustafson lets continue with the highlights in the plan. It would only be contiguous annexation. Durand stated that makes sense. Wallis stated they have to be contiguous no matter where they are at. It is all land owner driven. They have to initiate the annexation process. Beseler stated the opportunity to pursue annexation is by all landowners. I wanted clarification on Section 12.04 – it reads as guidance put in place to bypass or constrain the Village's Well Head Protection Ordinance. I want to make sure the Village has Well Head Protection Review. Wallis asked how do they interact. Beseler stated upon first read it had to do with water management – Attorney Laux didn't think it was, but wanted to clarify. Gustafson stated honestly the Well Head never came up. Schmidt stated no Ordinances remain into affect. Wallis stated throw out Section 12 – they were all guidance. Beseler stated I just wanted to make sure. Wallis stated some Sections require Ordinance changes or updates. Within the Growth Area we may have to restructure the subdivision areas for the growth areas. Schmidt stated within the Growth Area wouldn't that fall under Village Ordinances. Beseler stated do you have contiguous landowners. Not all at the same time. Wallis stated in the growth areas if they wanted to subdivide and it is in the growth area they would have to meet the Village Ordinances. If they annex in – Bjorklund asked on the growth area why did we not go farther West. Gustafson stated we just squared it up.

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Thanig stated it came right out of our Comp Plan. Bjorklund stated when you look at Trap Rock Inn there are 2 parcels behind it to that road. Going south you didn't go beyond 90th. Gustafson stated it was a logical place to stop. We could have stopped it by Trap Rock Inn, but we went to next logical point. Bjorklund continued it ends at 90th which is not a lot of growth area. Beseler stated you pick up TimberRidge. The only Residential would be on the 2 fields by Trap Rock. Beseler stated those are 2 - 40's. Bjorklund stated the area for the Industrial is behind the Clark Farm. Peace Church is out there. So you are looking on the East side of the sewer plant. The front area is the Clark Farm. Trap Rock owns the rest of that land which I believe is now pasture. Beseler stated we are getting off track - they didn't arbitrarily pick property. They used the Comp Plans to determine where the growth areas could be and where we would possibly expand. This was out of the Comp Plan and it was labeled Industrial. Bjorklund stated this is really handicapped us especially across from the Industrial Park. Gustafson stated it is what is in the Comp Plan. We tried to keep in mind the potential growth areas. You need to remember some of these agreements annexation is a forced thing. That is not the case here. Bjorklund asked how is our water and sewer going to handle that. Wallis stated questions did come up from the Comp Plan and we got a pretty definite answer regarding the water but we were not clear on the sewer plan. Beseler stated ultimately we are at the mercy of Osceola. Their current cap can handle a significant increase. The DOA is going to have to see that. Beseler stated we would have to check with Osceola on what they can handle. Bjorklund asked do we have Well capacity. The PSC may have some say in that. The Village could put in a new well if needed. Just because someone is in the growth area – we may not accept their annexation request. Beseler stated we would need to evaluate our services. There is no requirement that being in the growth area we have to say yes. Beseler continued this is saying to those landowners we have interest in that area. Wallis stated for the Town the Village is restricted to Industrial growth. That part of it. The benefit of this doesn't get the Village off of our heels and ready for what to come. There is potential for development. Everyone would be waiting for someone to throw a petition out. Bjorklund stated for Industrial Development do we look to the East. According to the Comp Plan the area to the East is Rural Development. Schmidt stated the question I have is did the committee agree on would the comparable Ordinances would look like between the two communities. Do we make sure our Ordinances are compatible to Dresser, but also usable to Town residents. Are we making sure if you want to have a Well you can – Gustafson stated in the Town of Osceola if they want a Well they can – if they annex in the Well is done. Wallis stated wherever your land is located that is the jurisdiction you are in. If you are in the growth area you are still in the Town. Beseler stated leaving in the Extraterritorial Plan Review and a landowner is requesting possible annexation and it falls in the growth areas things would be looked at through a different lense. It already goes before the Dresser Board. Bjorklund stated in the growth areas – 3rd edition in SilverRidge never happened. On 230th we have some areas that include doctor's houses. 3rd phase is already in the Village. There has been a request from the Rochford's – Beseler stated the purpose of tonight's meeting isn't to redraw boundary lines – it is to review the current plan and understand that the next part of this process is to go to public hearing where the rest of the details will be hashed out. I am not here today to address redrawing the boundaries

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that needs to go through public hearing so we are not ending your conversation. Schmidt stated I agree with Beseler. This is a good mid point. It was smart to bring this to both boards at this point. We need to review what they have so they can go back and go over this and review it and then they might have a public hearing. This could go back and forth and even go back to the boards and we meet again. We are not close to being done. Bjorklund stated so you are saying the growth areas could be changed at the public hearing. Gustafson stated I disagree a little bit. We aren't presenting a draft – we wanted official input. This is almost at final draft which then goes to the boards and the boards make the call. The committee is almost ready to hand this over to both municipalities to have you vote on it. Beseler asked is that after public hearing? Schmidt asked if we have a public hearing should it be a joint public hearing. Beseler stated yes that should happen. Wallis stated we need from both boards a Resolution to go to public hearing I believe. Bjorklund asked when would the Rochford Development by 3rd Phase be considered – they have a site plan and if it is not in the growth area so they would still have to come to us for annexation but they would also have to go to the Town. If it was in the growth area – there would be no joint approval from the Town. Gustafson stated ultimately the committee has no authority on the boundaries. When we turn it back to the committee you can say no. Right now if annexed in they would have to go through the township also. Wallis stated we leaned on the Comp Plans a lot when discussing this. Particularly the future land use maps. It is hard to see but the purple is Industrial and the Southern area is somewhat extended. The area that you are talking about is right now labeled rural preservation on the Comp Plan maps. Schmidt stated I like it the way you have it drawn up right now. Gustafson stated we do have some requests in front of us. Should we change what we have? Beseler stated the opportunity for those land owners to speak and present will be at a public hearing. Burch stated both remain consistent with the Comp Plans which I believe were adopted in 2009. Gustafson stated if you read the original Resolution it was to start, plan, have a joint public hearing, 20 days vote on it after the public hearing etc... Beseler stated we have a few things to work through. Once a public hearing date is set we are really close to finishing. The original Resolution talked about being done in October. Wallis stated we are shooting for an August hearing. We have a few more things to iron out so one more meeting. We could start the publications. Wallis stated so far we have done this with zero funding and Gilbert's time. Before the hearing we need attachments/maps. Fortunately the County can do it for us at a cost around \$200.00 to get them made. They do custom mapping at ½ price for municipalities. Wallis stated I am not in the position to approve funding. Schmidt stated I can find half/Beseler stated I can find my half. Bjorklund stated under Section 9.01.1 it says to give 30 days notice. I don't know if 30 days is enough time. Bjorklund stated is this realistic or was this put in just because someone else just said so. Section 10.01 only gives 3 weeks. The Town meets twice a month, but the Village only meets once. Schmidt stated the last sentence talks about failure to do so – Bjorklund stated why not just make it longer we don't want to have to call a special meeting to just meet those deadlines. Gustafson asked is there any other time lines for review. The InterCounty Leader asked – for the public hearing phase why would a landowner not request to be in the growth area? I don't see an incentive to stay outside of the growth area. Are you creating potential islands? Adjacent property could create arms in the growth areas. By

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avoiding forced annexation you may still have irregular borders. That was logical not necessarily the goal. Being in the growth area may only have to be approved by the Village but it is not a free pass. It would have the same conditions they would have right now. Bjorklund asked would there be attachments to the plan. Gustafson stated yes. One attachment would be the original resolution. The public hearing is an attachment. There are many pages to be added including maps. Bjorklund asked do we need any legal input on this. Beseler stated Attorney Laux reviewed it and he had no legal concerns. Bjorklund asked should the legal costs be shared. Wallis stated our legal council will review. The Boards have to figure that out. Gustafson asked if there were any other questions or concerns about it. Wallis asked is this going to Plan Commission. Beseler stated I wouldn't want to go to Plan Commission. They aren't familiar with the Comp Plans. I have talked to them. Are you taking to yours? Wallis stated the Plan Commission would review. The Board is familiar right now. If we have drop dead date in October Gustafson stated there is no need. Beseler thanked the 4 committee members and Jodi for all of their time. Thank you for your time and commitment. Gustafson thanked the boards for their input. Schmidt thanked everybody.

Wallis asked OK what is the next steps. I have been amending my document. We will need a number of days to finalize it. Bjorklund stated back to number of days - Beseler stated in State Statues it gives you the notice to adopt a resolution to annex property. We need a number if we are too clean this up. The Village needs more liberty. Wallis asked do your Ordinances go through Plan Commission. Beseler stated a request for annexation would go to Plan Commission. Gustafson stated leave it be for now. Gustafson stated my notes show the following changes: 1. Tax forgiveness is not in the agreement. Beseler stated it would fit into Section 9. 2. Dresser does not waive their rights so Section 19.01 is struck out of the plan. Wallis stated I will start the map process. It should be very simple. Beseler stated in regards to water and sewer capabilities I will get that information. If we are having an August public hearing it would need to be published as a Class 2 notice. Bjorklund stated I believe in August Gilbert has some family commitments. Make sure you iron out the dates with her. The document needs to be ready for the public to review. Gustafson stated I believe we need one more meeting before the public hearing. Schmidt stated I am curious so you would have your meeting and then the public hearing. Gustafson stated at the public hearing you will need to decide what to do with that information. Wallis clarified that the public hearing is for both boards. Boards will decide to move forward or not. Schmidt clarified so both boards have to be present at the joint public hearing. Wallis stated does it make sense for both boards to vote independently or together. Schmidt stated could we extend the meeting after the public hearing. Maybe it can all be done in one night. Wallis stated the committee was to draft it and provide it to you. The two boards need to move forward and then could kick it back to the committee.

Gustafson asked when do we want to meet next. Monday, July 18th at 6:00 PM. Meeting to be held at the Dresser Municipal Office.

Motion Thanig/Gustafson to adjourn the meeting at 7:53 PM.

Jodi A Gilbert, Clerk Village of Dresser These minutes have not been approved.