

JULY 25, 2022 VILLAGE BOARD

On Monday, July 25, 2022, the Village Board of the Village of Raymond held public hearings as follows:

1. Robert McDonald, 2838 108th Street, Franksville, WI, 53126: Consideration and possible action on a request for a conditional use permit to operate a riding arena and stables for the commercial boarding of up to twenty (20) horses at 2838 108th Street (Property owner: Robert and Alverta McDonald) and approval of the associated site plan, plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-20-022-050.

President Morgan opened the public hearing at 7:30 PM.

Mr. Greber:

Lives across from the proposed arena – it used to be a quiet area and, the development will be worse. He doesn't like it one bit. The water is already running onto my property. He doesn't think they can ride horses on the road. There will be lots of traffic.

Art Potts:

When this property was first built, we got a big washout in the field. I don't see a retention pond on this plan to capture the water.

Kathy Potts:

How many driveways is a person allowed to put on their property? How will the hay come in? What is the weight limit on that road? They are proposing way too many horses for that property.

Bill Wilson:

Lives directly south of this property. Mr. McDonald already has a massive building on the property. Mr. Wilson feels that Mr. McDonald will be running a driveway along his (Mr. Wilson's) lot line. I don't want to have traffic running along my lot line 12 hours a day. Where will they be putting the manure. The water will flow directly on to the property next door. We have never had a water problem until he moved in.

Rob McDonald:

My plan is not to make a commercial business out of it. I would like to have my daughter's horse here. Mel Hebron will take care of the manure. I am willing to address the water problem. This is zoned for this purpose.

Brian Forten:

President Morgan read an email from Brian Forten regarding his disapproval of this proposal.

Tom Magestro:

The gentleman just said he is doing this for his daughter, which means one horse, why then is he asking for permission for 20 of them?

At 7:45 the public hearing for this matter was closed.

2. OneEnergy Development, LLC, 1882 E Main Street #207, Madison, WI 53704: Consideration and possible action on a request for a conditional use permit to operate a solar utility along 5 Mile Road (Property owners: Jerry & Lori Warntjes) and approval of the site plan, grading plan, plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-24-011-000.

A gentleman said that he is surrounded by this. I am the closest. I have read a study from 2020 from Rhode Island regarding solar utility poles.

Gary Boldt:

Would like them to guarantee that these panels will not cause cancer; also, where will they be disposed of once this is done?

Chad Montgomery:

There are plenty of water issues regarding this. Also, the amount of decline of property value is terrible. I am opposed to this.

Errine Lemery:

Will this lower the energy bills; will it lower our taxes? What is the actual benefit of this?

Steve Sundry:

Property abuts to this piece of property. I did not know anything about this meeting. I am opposed to the proposal at this point.

Sandra Loppnow:

When the Town did the land use plan, a lot of money and hours of planning were put into it. This land was supposed to be for development – not for a solar farm. These people think we are a bunch of dumb farmers – we need something that for our Town's tax base to keep our school going – what kind of future will we have with a solar farm?

Eric from One Energy:

We are proposing this on 40 acres – this would tie into the existing 12 foot wide gravel access drive. There will be an 8 ft. tall fence; evergreens around the North; 10 foot spacing; 5 feet high.

Panels will be a max of 8 ft. tall. There will be transformers 300 feet from the north boundary. The DNR will need to issue a permit; they will be managing the storm water. Before we start construction, we will seed rye. We have to keep weekly logs and inspections. This will create jobs.

Fort McCoy is a user of solar panels. Solar is the most efficient and safest way to produce electricity.

A gentleman in the audience asked – if One Energy is buying their supplies from China – how is this helping us? Also, what about the drain tile problem??

Eric from One Energy:

We have been in contact with the farm who farms the land and he has located the tiles. There will be a map for drain tile done; and the map will be followed.

There was a question about how long the lease is for?

Answer: 30 year term with a 10 year option to extend. Then we have to put the land back to farmland.

Gary Boldt:

What kind of guarantee will we get for the decommissioning?

Eric

You will need a third party engineer to tell you how much it will cost to decommission.

A man asked – if a tornado goes through and breaks panels, what about contamination?

The answer was: 99% of this is glass, aluminum and copper – they are not considered hazardous material – they are all recyclable.

Will there be any storage on site?

Answer: No

Art Potts:

What do you do with the top soil? In Necedah they sell it. A 100 watt windmill farm has 15% efficiency – what is the efficiency rate on this solar farm?

Eric:

These panels are anti-reflective panels. Regarding top soil – we will move as little dirt as possible. No soil will leave the site; regarding the plantings, the DNR is very strict about the seedings.

As far as efficiency – a rooftop design is about 18% efficiency. He also said that studies done in Illinois and Minnesota show that there is no impact in property taxes.

Mark Gelhaus:

Feels that this would be better off next to an airport or army base.

Paul Magestro

Would rather have a solar farm than a wind farm.

At 8:35 PM, the public hearing was closed.

3. OneEnergy Development, LLC, 1882 E Main Street #207, Madison, WI 53704: Consideration and possible action on a request for a conditional use permit to operate a solar utility along 108th St (Property owners: Dustin Warntjes) and approval of the site plan, grading plan, plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-31-007-000.

Eric:

The design is similar to the one on 5 Mile Road; but, this has 36 acres and right-of-way on 108th Street. There will be 120 trees along the East boundary; access drive will be 12 feet wide; we will avoid any wetland areas; we will be working with a drain tile person.

Victoria Petersen:

There is a lack of communication from this company and we want additional conditions put on this approval, if given.

Don Wilks:

The water from this property will affect the land we're running. The poles will be 7-1/2 feet deep – Mr. Wilks would suggest retiling the whole farm.

Jack Schroepfer:

Does Raymond really want solar panels? What are we getting out of this? I have not heard anything positive about this.

Public Hearing closed at 8:45 PM.

Immediately following the Public Hearings, the Board held their regular monthly meeting:

The Pledge of Allegiance was recited.

Roll Call was taken as follows: Present were, President Kari Morgan; Trustees, Doug Schwartz, Mike Thelen, Tim Geszvain and Keith Kastenson. Also present were, Village Clerk, Linda M. Terry; Village Treasurer, Barbara Hill; Fire/Rescue Chief, Adam Smith; Village Attorney, Luke Martell and Village Zoning Administrator, Orrin Summwalt.

The Treasurer's Report:

JUNE 1-30, 2022

Community State Bank - General Checking

Beginning Balance

\$100,832.56

Deposits:

429,225.10

Disbursements:

442,984.56

ENDING BALANCE:

\$87,073.10

OTHER ACCOUNTS:

UNRESTRICTED

Community State Bank - Money Market

11,811.59

State LGIP Fund - Tax Investment

1,141,787.21

TOTAL UNRESTRICTED SAVINGS

1,153,598.80

TOTAL UNRESTRICTED FUNDS

1,240,671.90

RESTRICTED

Community State Bank - Bond Escrow	350,118.63
Community State Bank Storm Water Utility	77,132.25
Community State Bank Cemetery Fund	15,410.81
Community State Bank Perpetual Care Fund	9,585.14
State LGIP Funds - Bond Escrow	60,483.26
State LGIP Funds - Cemetery	15,138.94
State LGIP Funds - Equipment Reserve	128,511.80
State LGIP Funds - Land Reserve	24,393.01
State LGIP Funds - Raymond SWUD	74,495.85
State LGIP Funds - Fireworks Bonds	10,648.39
State LGIP Funds - Fire & Rescue Equip Reserve	328.33
State LGIP Funds - ARPA	415,286.66
TOTAL RESTRICTED FUNDS	1,181,533.07

ALL VILLAGE BANK ACCOUNTS

\$ 2,422,204.97

Treasurer's Report was APPROVED ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.

BILLS PAID FROM : June 22, 2022 – July 22, 2022: \$228,593.80, were APPROVED ON A GESZVAIN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

MINUTES FROM PREVIOUS MEETINGS OF: June 27, 2022, WERE APPROVED ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.

SHERIFF'S REPORT:

Lt. Chuck Gehrand was present for the meeting to give his report. President Morgan asked about the police presence on Waukesha Road the past few days.

Lt. Gehrand said that a GPS tracker had placed a stolen vehicle in the area, but, that was incorrect.

PUBLIC COMMENT – Discussion of any matter raised by the Public: Please be advised that per Wisconsin Act 123, the Village Board will receive information from the public. Presentations are limited to a two minute time period, with time extensions per the President's discretion, per person. Presentations shall not deal in personalities or personal attacks on members of

the Village Board or Village employees. Presentations are not to be designed for purposes of engaging others in a debate in this forum. Persons wishing to speak during public comment must sign in prior to the meeting. There will be a 30 minute time limit for the entire public comment portion.

NONE

1) **Fire Department Business:**

UPDATES

NONE

2) **Storm Water Utility District:**

UPDATES

NONE

3) **Plan Commission Business:**

- a. Chris Nielsen (Nielsen Remodeling, LLC), 8333 Majestic Hills Dr. Sturtevant, WI, 53177: Consideration and possible action on a request for a soil disturbance permit for Jeff and Annette D'Acquisto for the construction of a new single-family residence on Lot 3 of CSM 3491. Tax Parcel No. 168-04-21-10-001-003.

APPROVE PLAN COMMISSION RECOMMENDATION FOR APPROVAL, MADE ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.

- b. Merz North America, Inc., 4133 Courtney Street, #10, Franksville, WI, 53126 (Property owner: Lee J. Woelbing): Consideration and possible action on a request for a site plan and plan of operation amendment for an approximately 3,900 square foot renovation of the existing facility and an approximately 709 square foot building addition to expand the existing boilers to increase the utility capacity. Tax Parcel No. 168-04-21-36-001-120.

APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL, MADE ON A GESZVAIN/KASTENSON MOTION. MOTION CARRIED 5-0.

- c. Robert McDonald, 2838 108th Street, Franksville, WI, 53126: Consideration and possible action on a request for a conditional use permit to operate a riding arena and stables for the commercial boarding of up to twenty (20) horses at 2838 108th Street (Property owner: Robert and Alverta McDonald) and approval of the associated site plan, grading plan, and plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-20-022-050.

TABLE PER PLAN COMMISSION'S RECOMMENDATION, TO ALLOW FOR DRAINAGE ISSUES; AND, THE OWNER NEEDS TO ADDRESS THE BERM THAT WAS INSTALLED WITHOUT APPROVAL, MADE ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.

- d. OneEnergy Development, LLC, 1882 E Main Street #207, Madison, WI 53704: Consideration and possible action on a request for a conditional use permit to operate a solar utility along 5 Mile Road (Property owners: Jerry & Lori Warntjes) and approval of the site plan, grading plan, plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-24-011-000.

Village Attorney, Luke Martell was present for the meeting. Pursuant to 66.0401(m), AUTHORITY TO RESTRICT SYSTEMS LIMITED. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a wind energy system that is more restrictive than the rules promulgated by the commission under s. [196.378 \(4g\) \(b\)](#). No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system, as defined in s. [13.48 \(2\) \(h\) 1. g.](#), or a wind energy system, unless the restriction satisfies one of the following conditions:

- (a) Serves to preserve or protect the public health or safety.
- (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c) Allows for an alternative system of comparable cost and efficiency.

President Morgan stated that drainage is a major concern. Also, the maintenance of the driveway; what about leaching hazards into the ground? There are homes around this proposed site.

Trustee Kastenson said, if there is ever a fire in the middle of the 40 acres, how will the fire department get back there? Who will snow plow this? Also, he would suggest paving the driveway.

Chief Smith said they would need 49 feet to turn around.

Trustee Kastenson said you would need to re-tile with plastic tile.

President Morgan asked if One Energy is holding the lease on this?

Trustee Schwartz asked if we can put landowners and lease owner responsible for tiling if the tile break?

Trustee Kastenson asked who regulates the clearing of the property? Who does the bonding?

**MOTION TO DENY REQUEST, MADE ON A KASTENSON/THELEN MOTION.
MOTION CARRIED 5-0.**

- e. OneEnergy Development, LLC, 1882 E Main Street #207, Madison, WI 53704: Consideration and possible action on a request for a conditional use permit to operate a solar utility along 108th St (Property owners: Dustin Warntjes) and approval of the site plan, grading plan, plan of operation and soil disturbance permit. Tax Parcel No. 168-04-21-31-007-000.

**MOTION TO DENY REQUEST MADE ON A KASTENSON/SCHWARTZ MOTION.
MOTION CARRIED 5-0.**

- f. Miscellaneous Zoning Administrator Updates

At this time, Orrin said that someone is building a home and the person wants to stay in the existing home until the new home is built. He would suggest getting something in the code. For this particular project, he will not be requiring anything.

4) VILLAGE BUSINESS:

- a. Discussion/Decision regarding appointing a Board member to attend Racine County Intergovernmental Cooperation Council Meetings in the absence of the Village President:**

It was stated that Doug Schwartz would attend the meetings in the absence of the Village President.

- b. Discussion/Decision regarding 2 Mile Road Bridge Funding:
MOTION TO RESPECTFULLY DECLINE, MADE ON A GESZVAIN/SCHWARTZ MOTION. MOTION CARRIED 5-0.**

- c. Discussion/Decision regarding Westfield Way Road Condition:**

DPW Foreman, John Ertl had suggest that if there is extra asphalt from the 3 Mile Road Project, it can be used on Westfield Way.

Trustee Schwartz feels it needs to be dug out and undercut.

TABLE THIS MATTER TO SEE WHAT JOHN ERTL HAS TO SAY ABOUT THIS, MADE ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.

- d. Acceptance of Roof Bid:**

APPROVE CARLSON, MADE ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.

- e. Discussion/Decision regarding authorizing the Village Attorney to create an Ordinance for Solar Panel Farms:**

AUTHORIZE VILLAGE ATTORNEY TO DRAFT AN ORDINANCE, MADE ON A GESZVAIN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

- f. Discussion/Decision regarding Ordinance #22-07-22, An Ordinance to Amend Certain Sections of Chapter 20, Zoning, of the Village of Raymond Municipal Code Related to Minimum Lot Sizes and Maximum Square Footage of Accessory Buildings:**

APPROVED ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.

- g. Discussion/Decision regarding Road Bond Ordinance:**

President Morgan said that this would be a policy. There are a few changes that need to be done – it will be the DPW that checks the roads, not the Building Inspector. They will take before and after photos.

It was stated that a project under \$20,000.00 would not be charged a road bond.

APPROVE DRAFTING THE POLICY WITH THE CHANGES, MADE ON A THELEN/KASTENSON MOTION. MOTION CARRIED 5-0.

h. Discussion/Decision regarding reimbursing Cemetery for overpayment:

APPROVED ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.

i. Discussion/Decision regarding Picnic License for “For the Love of Flowers Farm”, Kelly Datka, 12114-W 5 Mile Road; for August 12, 2022:

APPROVED ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.

j. Operator Licenses Pending Clear Record Checks:

Joan Sanchez	Jocelyn Moran
Ariel Ann Plachter-Nejedly	Mark a. Josing
Crystal Shaw	Kelly Datka

APPROVED ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.

At 9:51 PM, the meeting was ADJOURNED ON A GESZVAIN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

Respectfully submitted,

Linda M. Terry

Village Clerk

Village of Raymond