



The meeting was called to order at 7:30 p.m., followed by the Pledge of Allegiance and a moment of silent prayer.

Official Meeting Notice was sent to the West Bend Daily News, Milwaukee Journal Sentinel, WBDV/WTKM radio stations; posted on the Town's website and on the bulletin boards at Cedar Hills Subdivision, Roskopf's RV Center, and at the Town Hall.

Roll Call. Supervisor Robert Roecker, Supervisor Ted Merten, Chairman Albert Schulteis, Clerk Marlyss K. Thiel, Treasurer Tracy Groth.

Public Comments. (15 minutes) None.

Approval of Minutes March 3, 2015 Joint Plan Commission & Town Board Meeting. Supervisor Roecker moved, and Supervisor Merten seconded, a motion to approve the minutes of March 3, 2015. All voted aye. Motion passed.

Approval of Minutes for March 10, 2015 Town Board Meeting. Supervisor Roecker moved, and Supervisor Merten seconded, a motion to approve the minutes of March 10, 2015. All voted aye. Motion passed.

Unfinished Business: None.

Sheriff's Department Report. There were 615 incidents recorded for the Town of Polk in the month of March. This includes traffic on hwy 41 & 45 & Hwy 60. There was 1 deer kill accident, 3 with personal injuries, 3 hit & run, 2 vehicles in the ditch, and 37 traffic stops. Three identity thefts and five larceny thefts. Property checks on business and homeowners requesting checks, and 2 grass fires.

Chairman's Report. The Washington County Clean Sweep program will be held May 9th, Saturday from 8 a.m. – Noon at the Washington County Slinger Highway Shop. This is an opportunity for Washington County residents to dispose of their unwanted and Hazardous Waste, Medications, Electronic Goods and Used Tires. Some items require a fee. The Town's Annual April meeting of Electors will be next Tuesday, April 21st at 7:30 p.m. St Joseph's Hospital contacted us about their 18th Annual Wheeling for Healing Bike Ride is scheduled for August 8th. This raises funds to support the Cancer Care Center at Community Memorial Hospital. Routes start and end at Community Memorial Hospital in Menomonee Falls. Cyclists can choose to ride on a 4-mile route, 14-mile, 33-mile route, or a 62-mile route. Contact (262) 257-3203 for more information.

Treasurer's Report of Revenue & Expenditures. Treasurer Groth stated that Checks 7900-7914 were not submitted yet, so are not listed on this report. Supervisor Merten moved to approve the Treasurer's Report with checks 7848 – 7899 and 7915-7916. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

Operator/Bartender License(s). Clerk Thiel stated that all applicants passed background checks. Supervisor Roecker moved to approve the Bartender licenses as submitted. Supervisor Merten seconded the motion. All voted aye. Motion carried.

Country Sports Golf Practice Center Inc., 3565 Hillside Road, Slinger - Naming Michelle Roethle as Agent for their 2014/2015 Class "B" Liquor and Class "B" Beer License. Clerk Thiel said Country Sports Golf Practice Center Inc. has hired Michelle Roethle as manager for their restaurant & bar named 41N Bar Grill & Barbeque LLC and to be listed as Agent on their 2014/2015 Class "B" Liquor and Class "B" Beer License. Supervisor Merten moved to approve Michelle Roethle as Agent for Country Sports Golf Practice Center Inc. 2014/2015 liquor license. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

Permit to Exceed Town Overweight Limits – Form. Chairman Schulteis informed us that our local farmers requested a permit that they can put in their tractor cabs and trucks. Then they have something to show they have permission to use the local roads, if they are stopped. These permits would be renewed annually, from January 1 – December 31. They would state on the form that any and all damage to the Town of Polk roads and shoulders done by the farmer, their employees, or contractors would be responsibility of the applicant to repair the damage. If not repaired in a timely fashion, the Town will hire a contractor for the repairs and the bill will be paid by the applicant. Other overweight limit requests, such as transporting from point to point on town roads or moving something heavy over our roads on a one-time basis, would be handled on a person by person basis only. Supervisor Roecker moved to approve the Overweight Limit Permit forms for the Town of Polk as submitted by Chairman Schulteis. Supervisor Merten seconded the motion. All voted aye. Motion carried.

Slinger Soccer Club Request to Level Soccer Fields. Slinger Soccer Club rents our fields behind the Town Hall. They would like to hire us to level the fields for them. They will pay wages plus the cost of the equipment to the Town. Roy Wenninger, our hwy dept., will run the equipment. Supervisor Merten moved to approve the request and agreement to reimburse us, made by the Slinger Soccer Club. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

2015 Pavement Markings Agreement with the County Highway Department. Chairman Schulteis informed us that it takes four years to cover the township roads, for pavement markings. Fog lines are badly needed on Hillside. Supervisor Merten moved to hire the County Highway Department to paint fog lines only, on the two and three-quarters miles of Hillside Road. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

Committee Appointments. There are no committee appointments up for renewal on the Plan Commission. Those up for renewal on the Zoning Committee are: Patrick Fehring, Rodney Barlow, and Mary Franz. Supervisor Merten moved to reappoint those up for renewal on the Zoning Committee. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

Recommendations from the Plan Commission:

- **Informational Presentation from Washington County Sheriff's Department for improvements to its shooting range at Heritage Trails Park (formerly Gundrum's gravel pit) with the addition of firing shelters and baffles. Heritage Trails County Park being part of the NW1/4 of the NE1/4 of Section No. 29, Town of Polk, Washington County, Wisconsin. Tax Key T9-0881-00A. Zoned Q-1 Quarry District and P-1 Park District.** An informal presentation was given by the County Sheriff's Department on the shooting range that they use.
- **Certified Survey Map and Private Road Agreement to create two (2) Lots and one (1) Out Lot from all of Parcel Two (2), Parcel Three (3) and all of the Reservation for Future Private Road as shown on Certified Survey Map No. 2050; and part of Lot One (1) of Certified Survey Map No. 2576. Town of Polk, Washington County, Wisconsin. Section 36. Tax Key Numbers T9-1061-00B; T9-1061-00E; Zoned B-1 Business District and A-1 General Agricultural District. Brian L. and Debra**

J.K. Wojcik; and Andrew J. Williams and Christen J. Schweitzer, Property Owners. Zoning Secretary Groth stated the Plan Commission recommended the CSM should show on the face, that Lot 2 is not accessible by Mayfield Way. Such a note is within the Private Road Agreement. According to the preliminary approval of the CSM, the Mayfield Way notation should appear on the CSM as well. Supervisor Merten moved to approve the Certified Survey Map and Private Road Agreement for Brian L. and Debra J.K. Wojcik; and Andrew J. Williams and Christen J. Schweitzer, Property Owners as recommended by the Plan Commission. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

- **Certified Survey Map to create one (1) Lot and one (1) Out Lot from part of Lot One (1) and all of Lot Two (2) of Certified Survey Map No. 2576; Town of Polk, Washington County, Wisconsin. Section 36, Tax Key Numbers T9-1061-00B; T9-1061-00E. Zoned A-1 General Agricultural District. Walter J. and Karen M. Baehr, and John R. Bernhoft, Property Owners.** No additional recommendations from the Plan Commission. Supervisor Roecker moved to approve the Certified Survey Map for Walter J. and Karen M. Baehr, and John R. Bernhoft, Property Owners as recommended by the Plan Commission. Supervisor Merten seconded the motion. All voted aye. Motion carried.

- **Business Use Permit for Slinger Strike Zone LLC, in accordance with Title X Section 3.08 to Operate an Indoor Batting and Pitching Facility and Screen Print Shop. 3767 Scenic Road, Town of Polk, Washington County, Wisconsin. Section 15. Tax Key Number T9-0587-00Z. Zoned M-1 Industrial Use.** The Plan Commission recommends approval in accordance with Title X, Section 3.08(1)(u)- Other use deemed similar. Supervisor Roecker moved to approve the Business Use Permit for Slinger Strike Zone LLC to operate an indoor batting and pitching facility and screen-print shop, as recommended by the Plan Commission. Supervisor Merten seconded the motion. All voted aye. Motion carried.

- **Business Use Approval for GCAM-CC LLC in accordance with Title X Section 8.01 Existing Non-Conforming Uses to Operate a Tavern and Casual Dining Restaurant. Site located at 3747 Cedar Creek Road, Town of Polk, Washington County, 1.54 acres, Section 15, Tax Key T9-0567, Zoned A-1 General Agricultural District. GCAM-CC LLC Kevin and Amy Zimmer property and business owners.** This request is only for a Business Use permit, and not for a site plan approval. The Plan Commission recommended to the Town Board the approval of a Business Use Permit to GCAM-CC, LLC to operate a tavern in accordance with Title X Section 8.01 [Existing Non-Conforming Uses] as a lawful use in existence September 1971, prior to the adoption of Title X Zoning Ordinance. Supervisor Merten moved to approve the Business Use Permit for GCAM-CC LLC as recommended by the Plan Commission. Supervisor Roecker seconded the motion. All voted aye. Motion carried.

- **Conditional Use Permit for ITEX Company, in accordance with Section 4.0 of the Town's Title X Zoning Ordinance, to operate a Residential Based Addiction Treatment Service (Community Based Residential Facility). Facility to be located at 4509 Arthur Road and 4505 Arthur Road, Slinger, Washington County, Wisconsin. 39.35 Acres. Section 8. Zoned A-1 Agricultural District. Tax Key Nos. T9-0364-00B, T9-0364-00C, T9-0364-00D, T9-0364-00E. Applicant: ITEX Company, an Illinois partnership or its assignees, c/o Aber Hollander. Property Owners Joseph J. Mentor and Kathleen L. Mentor; and Steven M. Kearns respectively.** Supervisor Roecker made the motion, by reading the one drafted by the Town of Polk's attorney, "I hereby move to approve the application of ITEX Company for a Conditional Use Permit for the operation of a residential-based addiction treatment facility ("the facility") at 4505 and 4509 Arthur Road on parcel numbers T9-0364-00B, T9-036400D and T9-036400C; the conditions of the permit to be as follows:

1. Acquisition of the property by applicant or an entity controlled by applicant within 60 days.

2. The permit shall be subject to annual review but shall remain valid unless the Town Board determines that the Permittee has failed to comply with any condition of the permit and revokes the permit.
3. ITEX shall indemnify the Town of Polk for any claims against the Town that arise out of the existence or operation of the facility. Its duty of indemnification shall extend to all damages, costs and expenses, including reasonable attorneys' fees.
4. ITEX shall maintain and, upon the Town's request, show proof of general liability insurance in the amount of \$2 million per occurrence and \$5 million in the aggregate. The Town shall be named as an additional insured on the policy.
5. The facility and its operations shall at all times comply with all state, federal and local laws and regulations.
6. ITEX shall reimburse the Town for all costs and expenses, including legal and engineering fees, incurred in connection with the review and approval of its application.
7. The applicant shall promptly file with the Town and timely update all contact information for the facility.
8. ITEX and its assignee shall execute an agreement with the Town requiring them to refrain from seeking property tax-exempt status for the facility and further requiring that should the facility acquire such status that ITEX and its assignee shall annually pay to the Town in lieu of property taxes an amount equal to the taxes that would otherwise have been payable to the Town had taxes been levied upon the facility.
9. Types of treatment to be provided at the facility shall be limited to treatment of alcohol, drug, smoking and gambling addictions. The treatment of sexual addictions shall not be permitted at the facility. The proposed treatment of other addictions must be pre-approved by the Town. Such approval shall not be unreasonably withheld. All treatment shall be conducted consistent with the permit application on file with the Town. No detoxification treatment shall be conducted upon the premises. All clients must be medically stable prior to their admission.
10. ITEX and its assignee shall agree to indemnify the Town for all legal expenses, including reasonable attorneys' fees, incurred in the defense of any legal action or proceeding challenging or contesting the issuance, manner of issuance or conditions of issuance of this permit in an amount not to exceed \$50,000 in the aggregate.
11. This permit may be assigned to other entities controlled by ITEX without Town approval but may not otherwise be transferred without Town approval; provided, however, that the Town shall not unreasonably withhold approval of the transfer of the permit to a proposed arms-length purchaser of the facility. Contact information for assignees shall be promptly provided.
12. No semi-trucks shall be permitted to carry materials to or from the facility, except that such trucks shall be permitted when necessary for the initial furnishing, renovation and outfitting of the facility for the permitted operations. "Semi-truck" means a truck where the tractor is attached to the trailer by means of a fifth wheel coupling.
13. The permit is subject to a property value protection plan. The details of the plan will be prepared by the Town Attorney.
14. Exterior lighting, parking and signage shall be installed and maintained in accordance with the facility site plan submitted with the application. In addition, low-wattage landscape lighting that does not materially conflict with the rural character of the area shall be permitted.
15. ITEX shall and its assignees shall pay a fee for the impact of the facility upon Arthur Road. It shall be a one-time fee of \$30,000; or alternately, ITEX or its assignees shall pay the \$30,000 impact fee in annual installments of \$3,000 per year over ten years.

16. The facility grounds shall be fenced in a manner that reasonably deters elopement and blends aesthetically with the surrounding area.
17. The submission for Town approval of a safety plan in a form that is approved or approvable by the State of Wisconsin. The Town shall approve the plan provided that it is in the required form.
18. The Town's attorneys shall prepare a conditional use permit reflecting each of the above conditions together with such additional conditions as determined by the Town's attorneys and subject to such modifications as may be approved by the Town's attorneys and the Town Chairman." Supervisor Merten seconded the motion. Roll call vote: Robert Roecker, aye. Ted Merten, aye. Albert Schulteis, aye. Motion carried.

Comment: Attorney Hal Karas speaking for ITEX, stated that they spoke with the Town's attorney on the phone this afternoon, and went over the conditions listed. They are in agreement with the outline of the agreement; however, they will need some time to go over the numbers listed here. This is the first time they have seen this document, and are confident things can be worked out, but will need some time to review. Chairman Schulteis said that we know there was not enough time, but we did come a long ways in 24-hours to get to this agreement. The Board is aware that some details will be modified.

Adjourn. Supervisor Merten moved to adjourn. Supervisor Roecker seconded the motion. All voted aye. Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Marlyss K. Thiel, Town Clerk.