

TOWN OF EAGLE  
SPECIAL TOWN BOARD MEETING  
FEBRUARY 27, 2003  
MINUTES

The meeting was called to order at 8 p.m.

Present: Wilton, Malek, Orchard, Kwiatkowski. Excused: Burton. Also present: Atty. Adelman, Clerk McMillan, Village of Eagle President Greenberg, Village Trustees Rockteacher, Billington, Spielvogel, R. Spurrell and B. Spurrell, Village Atty. S. Reilly and Engineer S. Schultz from Ruckert & Mielke.

The Pledge of Allegiance was recited. Mr. Wilton announced the closed session regarding resolution of Town of Eagle vs. Village of Eagle, for the purpose of conferring with legal counsel regarding litigation in which the Town is involved pursuant to Wis. Stats. 19.85 (1)(g).

The Town Board then engaged in discussion with the Village Board members, the Village Attorney and Engineer Schultz. Topics included annexation issues, aquifer storage and recovery (ASR), which is an option that is being explored as an alternative to water blending, cost factors, well capacity, water volume and quality concerns, possible effects of the wells on wetlands, procedures and results from the test wells on-site and other wells being monitored off-site, zoning issues, installation of fire hydrant(s), a well-head protection ordinance and formation of a grievance committee to determine responsibility for property owners who feel their wells have been impacted by the Village wells.

Motion by Kwiatkowski, seconded by Malek to go into closed session pursuant to Sec. 19.85(1)(g) Stats. to confer with legal counsel about strategy in connection with Eagle v. Eagle. Roll call vote: Wilton- yes, Malek- yes, Orchard- yes, Kwiatkowski- yes. The motion carried. At the conclusion of the closed session discussion, a motion was made by Kwiatkowski, seconded by Malek to reconvene into open session. Motion carried.

Atty. Reilly presented the Village Board's response to the main issues discussed earlier. They would want to keep the land annexed, would continue to investigate ASR, expressed interest in the grievance procedure, would agree to installing one fire hydrant at the well site, want the Town to adopt a well-head protection ordinance to compliment the Village ordinance, suggested the Town repeal the ordinance regarding road excavation and cooperate with the Village regarding the route from the well site to the Village if they encounter problems with the Dept. of Transportation. Discussion followed.

Motion by Kwiatkowski, seconded by Malek to go into closed session pursuant to Sec. 19.85(1)(g) Stats. to confer with legal counsel about strategy in connection with Eagle v. Eagle. Roll call vote: Wilton- yes, Malek- yes, Orchard- yes, Kwiatkowski- yes. The motion carried. At the conclusion of the closed session discussion, a motion was made by Orchard, seconded by Malek to reconvene into open session. Motion carried.

Mr. Wilton explained the Town Board still had concerns and would like to seek out more detailed information. Mr. Wilton and Mr. Rockteacher will meet along with Mr. Schultz, who will prepare further information regarding ASR and costs. Atty. Reilly will send examples of well-head ordinances to Atty. Adelman for review. Both boards will meet again on Thursday, March 6 at 8 p.m.

Motion by Kwiatkowski seconded by Malek to adjourn at 10:21 p.m. Motion carried.

Sally McMillan  
Town Clerk