

TOWN OF EAGLE
SPECIAL TOWN BOARD MEETING
MARCH 6, 2003
MINUTES

The meeting was called to order at 8 p.m. The Pledge of Allegiance was recited.

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

The possibility of entering into closed session was announced. The Town Board then engaged in discussion with the Village Board members, the Village Attorney and the two engineers. Topics included water blending issues, a well-head protection ordinance, annexation issues, a border agreement proposal, radium problems, reservoirs, cost factors, Village growth projections, background on the property choice for the well site, well testing procedures and preliminary results, Village plans for the existing wells, a well impact committee, cooperative agreements and the monitoring of private wells.

Motion by Kwiatkowski, seconded by Orchard to go into closed session pursuant to Sec. 19.85(1)(g) Wis. 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 Orchard to reconvene into open session. Motion carried.

Atty. Adelman presented the Town Board's proposal for resolution of the lawsuit. Because of the benefits of water blending, the Town would offer to share 1/3 of the incremental cost of blending from the Village limit to the reservoir in exchange for the utilization of blending and allocation of a reservation of up to 325 gallons per minute to the Town. This cost-sharing would be contingent on Town taxpayer approval and with the expectation that the Village would obtain a "Safe Water" loan, and that the Town would pay back its portion of the loan to the Village over the duration of their loan. Since the Town does not want the annexation, if the well-site property was returned to the Town, a well-head protection ordinance and zoning to a district that would give further protection to the well would be offered. The Town also proposed the use of the well impact committee as previously discussed, and proposed that the Village to monitor the wells in the area, including one for wetland impact. Finally, the Town proposed utilizing a border agreement. Discussion followed. The Village Board then convened into closed session.

After the Village Board returned to open session, Atty. Reilly announced that the Village declined the Town's offer to settle the lawsuit, because they felt the terms were not in the Village's best interests. They also believe they are out of time to settle out of court.

There being no further business, a motion was made by Kwiatkowski, seconded by Malek to adjourn at 10:43 p.m. Motion carried.

Sally McMillan
Town Clerk