

**Village Board Publication – Campbellsport Village Board - September 7, 2005**  
**Special Village Board meeting which was held in the Campbellsport Village Council Room,**  
**177 E. Main Street, Campbellsport**

Item#1 – Meeting called to order by Pres.Uelmen at 5:30 P.M.

Item#2 – Meeting notice was given to the Campbellsport News, National Exchange, Post Office, Library and posted at the Village Hall and in compliance with the open meeting law.

Item#3 - Roll Call: Tr.Boldt, Tr.Schwartz, Tr.Twohig, Tr.Stoffel, Tr.Yahr, Pres.Uelmen. Tr.Volz Daniels arrived at 5:52 P.M.

Others in attendance: Mary Jo Greene, Bart Welsh

ITEM#4 - Discussion on Memo from 4-Seasons regarding retention pond and maintenance along with notes on plat/comments from Attorney Macy.

Letter from Atty. Macy dated Sept. 2, 2005 RE: Notes for plat (Detention/Retention Pond Maintenance) read by Pres.Uelmen

Item#1 Special assessment struck and new language of special charge and State Statute number referenced was changed. Mary Jo read the following new paragraph:

3. In the event the owners fail to maintain the facilities or make repairs or improvements deemed necessary by the Village, the Village shall give written notice to the lot owners who shall have the time specified in the notice to correct the deficiencies. If the owners do not complete the work within the allotted time, and in case of emergency circumstances, the Village may enter onto the properties easement to do the work or cause the work to be done, and cost of such work plus reasonable administrative fees shall be billed to the owners, which invoice shall be paid in full by the owners no later than thirty(30) days after receipt. In the event that the owners, do not pay such invoice within such time, it shall be considered delinquent and the Village shall have the right to enforce collection of such invoice by extending the same on the current or next succeeding tax roll as an unpaid special charge against the owner's real estate pursuant to Section 66.0627, Wisconsin Statutes. This Declaration constitutes the owner's waiver of any Notice of Hearing and hearing as otherwise might be required by the Village pursuant to Section 66.0627, Wisconsin Statutes. The Subdivider/Owners hereby grants to the Village permission to enter upon lands identified above for the purpose of doing any work described herein.

Village would like the above paragraph changed to have a homeowner's association formed and take care of maintenance or repairs for the detention/retention pond. After a lengthy discussion the developers did agree to form a homeowner's association from the very beginning of development.

Motion by Tr.Schwartz, seconded by Tr.Stoffel to approve the detention/retention pond maintenance/repairs in Item #1 paragraph number 3 as revised by developers subject to final modifications of village attorney & engineer and representatives of 4-Seasons development agreeing to form a homeowners association immediately. Ayes-7, Noes-0

ITEM#5 – Developers Agreement along with comments from Attorney Macy, suggested language changes by Pres.Uelmen and updates to pages 11 & 18 as presented by 4-Seasons developers were reviewed.

Letter dated Sept. 2, 2005 was read by Pres.Uelmen and discussed item by item.

**Item #1 Section 1(A)(8)** suggested language revision by Pres. Uelmen 8. The Developer agree to construct the intersection of County Highway W and Knights Court per plans approved by the Fond du Lac County Highway Department dated\_\_\_\_\_, including any passing or acceleration/deceleration lanes deemed by the Fond du Lac County Highway Department to be necessary for access. The DEVELOPER shall submit such plans to the VILLAGE Engineer,

along with proof of such plans having been accepted by Fond du Lac County, to the satisfaction of the VILLAGE Engineer.

Motion by Tr.Boldt, seconded by Tr.Volz Daniels to accept the draft language as presented by Pres.Uelmen with changes of any passing or acceleration/deceleration lanes as discussed and any other changes as deemed necessary by Fond du Lac County Highway Dept. Ayes-7, Noes-0

**Item#2** - Seems to be okay and the understanding of developers

**Item#3** - In Section VII (A) - in fourth line the word year should be corrected and agreed by developers.

**Item#4** – Attorney recommended deleting language for any building permits to be issued with gravel base and curb & gutter.

Developers would like a maximum total of five(5) permits in all

After discussion by village board members it was decided to allow developers 5 permits in total similar to allowing WLM developers to start building, but occupancy will not be granted until infrastructure is completed and OK with Village.

Motion by Tr.Schwartz, seconded by Tr.Volz Daniels to allow issuing up to a total of five(5) building permits for 4-Seasons Development and keep the members names in the developer's agreement also in section XI and final language to be determined by attorney. Ayes-7, Noes-0

**Item#5** - Language seems to be okay and everyone was in agreement

**Item#6** - Section XXIV – Pres. Uelmen presented suggested language revision:

The DEVELOPER acknowledges that the SUBJECT LAND is subject to a conditional preliminary plat approval and if the development is to proceed, the SUBJECT LAND will also be subject to a conditional final plat approval, all granted by the VILLAGE of Campbellsport. The DEVELOPER also acknowledges that the SUBJECT LAND is subject to a special exception which allows the building of seven(7) duplexes as granted by the VILLAGE of Campbellsport on April 11, 2005. The DEVELOPER further agrees that it is bound by all of the conditions that have been imposed in this regard. A copy of the conditional preliminary plat approval is attached hereto and incorporated herein as Exhibit\_\_\_\_. A copy of the conditional final plat approval, if the plat is approved, and this development goes forward, is attached hereto and incorporated herein as Exhibit\_\_\_\_. A copy of the final plat, if it is approved, and this development goes forward, is attached hereto and incorporated herein as Exhibit\_\_\_\_. If there is a conflict between the conditions set forth, in said conditional approvals and the Developer's Agreement, the more restrictive shall apply.

Motion by Tr.Volz Daniels, seconded by Tr. Yahr to adopt Pres.Dean Uelmen's language for Section XXIV regarding Final Plat Conditions for 4-Seasons development known as Theisen Trails and final language determination by village attorney. Ayes-7, Noes-0

**Item#7** - Comments by Attorney of limited involvement with 4-Seasons Development and Pres.Uelmen informed village board that developers agreement and stormwater pond maintenance memo was forwarded to village engineer for comments, but not yet received. Final version of developers agreement will be adopted by resolution at a future meeting.

Motion by Tr. Volz Daniels, seconded by Tr.Twohig to accept Developer's Agreement with said changes as made and noted tonight and is subject to Village Attorney and Village Engineer comments and review. Ayes-7, Noes-0

ITEM#6 – No Announcements

ITEM#7 - Motion by Tr.Volz Daniels, seconded by Tr.Schwartz to adjourn meeting at 7:20 P.M.  
Motion carried.

Respectfully submitted,  
Diane Lemke, Clerk/Treasurer CMC

**Minssept72005**