TITLE: Town of Berry Town Board Meeting Minutes
DATE: July 20, 2026
TIME: 7:00 – 8:18 p.m.
PLACE: Town Hall, 9046 State Road 19, Mazomanie, WI 53560
POSTINGS: Town Hall and Town of Berry website

I. CALL TO ORDER – ROLL CALL: The meeting was called to order at 7:00 p.m. Board members present: Duane Haag, David Evert, Michael Statz, Nichole Schwoerer and Derek Statz. Also present Clerk, Brenda Kahl, Patrolman, Lucas Danz and Attorney Mark Hazelbaker.

II. CONFIRMATION OF COMPLIANCE WITH OPEN MEETING LAWS
The Clerk confirmed that the agenda was posted at the town hall and on the town website.

III. APPROVE MINUTES OF JUNE 15, 2026
Motion M Statz/Schwoerer to approve the Town Board minutes of June 15, 2026. Motion carried. Vote 5-0

IV. PUBLIC COMMENTS: You may address the Board on any item not on the agenda. Comments are generally limited to three minutes.
*David Lucey asked if the demolition ordinance gives the town board permission to demolish homes in general. Attorney Mark Hazelbaker replied that the ordinance does not give the board that permission, there is a process in the State Statutes.
*Renee Drennen asked about the process for removing of wood products that fall into the road right-of-way and how the product is distributed and first right of refusal from the property owner. She also requested an inventory list of all products that have been removed from the right-of-way off of her property.

V. PATROLMAN REPORT
Scherbel Road ditching is finished and the plans are to pulverize and pave in September. First pass mowing is finished and starting on the second pass. Last week was cleaning in the shop and patching roads. Concrete work in front of the shop is finished. The International truck's fuel tank has a leak.

VI. DISCUSSION/ACTION RE:
A. (R-2026-5) Whippoorwill, Randall Laufenberg, 7914 State Highway 19, rezone 0.80 acres from B-1 to COM
Motion Evert/D Statz to approve the Whippoorwill, Randall Laufenberg's, rezone of 0.80 acres from B-1 to COM. Motion carried. Vote 5-0

Motion Haag/Schwoerer to reconsider the rezone of 0.80 acres from B-1 to COM to include a requirement that the applicant record a deed restriction limiting the commercial uses to tavern and restaurant uses. Motion carried. Vote 5-0

B. (CUP-2026-3) Whippoorwill, Randall Laufenberg, 7914 State Highway 19, conditional use permit for an eating establishment with alcohol, liquor, or malt beverages and service establishment that operates outdoors

Motion Evert/Haag to approve the Whippoorwill, Randall Laufenberg's, conditional use permit for an eating establishment with alcohol, liquor, or malt beverages and service establishment that operates outdoors. Motion carried. Vote 5-0

C. (D-2026-2) Kurt Meier, Far View Road, driveway permit application
Motion D Statz/Schwoerer to approve Kurt Meier's driveway permit application. Motion carried. Vote 5-0

D. (D-2026-3) William Kluender, County Highway KP, driveway permit application
Motion Schwoerer/Haag to approve William Kluender's driveway permit application. Motion carried. Vote 5-0

E. (D-2024-8) Carl & Donna Ketelboeter, 6176 County Highway KP, final driveway approval
Motion Evert/M Statz to approve Carl & Donna Ketelboeter's final driveway. Motion carried. Vote 5-0

VII. DISCUSSION/ACTION RE: ACCURATE ASSESSOR, INTERIM MARKET UPDATE
Dana Remien attended for Accurate. Comps are available on Accurate's website, which are homes sold in the area. There has been approximately 50 sales in the last two years. The last interim market update was in 2022. In 2026 there was a 52.32% average residential increase. Per the Department of Revenue the Town was at 66% and must be at 100% compliancy.

VIII. DISCUSSION/ACTION RE: ASSESSOR'S PLAT REQUEST FOR CARL & DONNA KETELBOETER
Chair Duane Haag recused himself and David Evert was appointed as Chair for this agenda item.
Motion Evert/Schwoerer to deny the Assessor's Plat Request from Carl & Donna Ketelboeter. Motion carried. Vote 3-1. In favor: Schwoerer, D Statz and Evert. Opposed: M Statz. Haag abstained.

IX. DISCUSSION/ACTION RE: 8785 STATE HIGHWAY 19, DEMOLITION OF BUILDINGS PER COURT ORDER
Motion Haag/M Statz to adopt the following Resolution prepared by Attorney Mark Hazelbaker:
WHEREAS, the Town of Berry issued an order directing the owner of 8785 State Highway 19 to repair certain structures on that property or, raze them;
WHEREAS, the owner failed to comply with the order, resulting in commencement of a lawsuit, Town of Berry v. Gary Matz, 2025 CV 1604;
WHEREAS the lawsuit went to trial on May 11, 2026, resulting in entry of Judgment by the Dane County Circuit Court;
WHEREAS, the owner was allowed 30 days to raze buildings as stated in the Judgment, but has not done so;
NOW, THEREFORE, be it resolved:
1. The Town shall request proposals from qualified contractors to demolish the four buildings which are identified in the Judgment. Proposals shall be returned to the Clerk by August 14, 2026. It is reasonably anticipated the cost of the demolition work will be less than $50,000. The Clerk shall cause a Class 1 notice to be published informing the public that the Town proposes to

award the demolition contract on the basis of the Board's evaluation of the proposals and not solely on the basis of low bid.
2. The contractor awarded the contract shall obtain a demolition permit under the Town's ordinance and complete the demolition in a timely manner.
3. The cost of the demolition work shall be charged against the real estate as a special charge.
Motion carried. Vote 4-0. Evert abstained.

X. DISCUSSION/ACTION RE: PURCHASE OF PLOW TRUCK EQUIPMENT
Motion Haag/Evert to accept Universal Truck Equipment's quote for the purchase of plow truck equipment at a total cost of $174,434.00. Motion carried. Vote 5-0

XI. DISCUSSION/ACTION RE: INSIGHT FS LP CONTRACT
Motion Haag/Evert to purchase 2,500 gallons of propane at $1.69 per gallon for a total cost of $4,225.00. Motion carried. Vote 5-0

XII. BUDGETARY MATTERS
A. Discussion/action re: Payment of bills
Motion Haag/M Statz to approve the payment of bills. Motion carried. Vote 5-0. Check numbers 20254-20256 and 20258-20294

XIII. COMMITTEE REPORTS/CORRESPONDENCE/COMMUNICATIONS
*District One EMS: Borrowed an ambulance from Dane County while theirs was being repaired; billing company rates are down from 10% to 6%
*Cross Plains-Berry EMS: A possible budget increase in 2027; considering moving the boundary lines with District One EMS due to response times

XIV. DISCUSSION OF FUTURE AGENDA ITEMS

XV. ADJOURN
Motion Evert/D Statz to adjourn until the next regular meeting or the call of the chair. Motion carried. Vote 5-0

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Brenda Kahl, Clerk/Treasurer Duane Haag, Chair