



Village of Black Earth

Village Board Meeting and Public Hearing

1210 Mills St., Black Earth, WI 53515
Tuesday October 7th, 2025, | 6:00 p.m.

Minutes

1. Call to Order/Roll Call – Meeting called to order by Terry Moyer at 6:00 PM. In attendance: Terry Moyer, Mitch Hodson, Dylan Helmenstine, Jen Schuetz, Nathan Cavanagh, Tom Marks and Joe Winandy. Also in attendance: Matt Kahl – Public Works Director, Carla Huston – Library Director, Kurt Meier – Vanguard Electric Superintendent and Matthew Miller – Vierbicher Planner
2. Pledge of Allegiance – Recited by all in attendance.
3. Proof of Posting: The public hearing notice was published in the Times Tribune on September 18 and 25, posted at the Black Earth Municipal Building, Black Earth Post Office and to the Black Earth Web Page. The notice was also mailed to property owners adjacent to the parcel owned by the applicant. A copy of the agenda notice was delivered to the following By Monday October 6, 2025: emailed to the Editor of the Times Tribune - Black Earth; posted at the Black Earth Municipal Building, Black Earth Post Office, and the Black Earth Web Page. – Read aloud by Terry Moyer.
4. Public Hearing: CUP application submitted by EarthMoto Inc for 1111 Mills St (Parcel # 107/0806-264-2914-5) for intended use of an automobile repair shop, detailing and window tinting. – One member of the public asked if they intend to have a dog on premise during business hours. It was determined by the board that this was not asked, nor discussed as it would not affect the conditions of the use of the property as it is not intended to be used for animal sale or breeding purposes. Other questions arose about meeting the terms of the conditions set by Plan Commission on 9/17/2025 but were elected to be discussed in the discussion/action item later in the meeting. No other discussion was held during the public hearing. Motion to close the public hearing by Dylan Helmenstine, second by Mitch Hodson. All ayes, none opposed motion carried unanimously.
5. Public Comment (Please limit to 3 minutes) –
 - a. Brian Bodendine – wanting the low overhanging trees on Center St addressed.
6. Discussion/Action: Approval of meeting minutes from September 2nd, 2025. – Motion to approve the updated minutes by Dylan Helmenstine, second by Jen Schuetz. All ayes, none opposed motion carried unanimously.
7. Discussion/Action: Johnson Inspection Contract and Fee Update for 2026-2028 – Tracy Johnson, from Johnson Inspection present to discuss the contract. Motion to approve the new contract with Johnson Inspection, LLC by Dylan Helmenstine, second by Nathan Cavanagh. All ayes, none opposed motion carried unanimously.
8. Discussion/Action: Dane-Iowa and Town and Country Sewer Rate Study 2025
 - a. Lisa Twarog and Brian Berquist (Town and Country) here to present information.
 1. Presentation and discussion about rate study. No action taken tonight.
9. Discussion/Action on Recommendation from Plan Commission:
 - a. Conditional Use Application for 1111 Mills St, Black Earth. Parcel # **107/0806-264-2914-5**. Property is Zoned General Commercial. Intended use: Automobile repair shop, detailing and window tinting. Application submitted by Earthmoto Inc, Justin Zhi Jiang. – There were some conditions that required updates from the applicant after the September 17th Plan Commission meeting, which have not been relayed to the Village yet. Motion to approve if the following conditions are met by Dylan Helmenstine and second by Nathan Cavanagh. All ayes, none opposed motion carried unanimously.
 1. Action Item 1: Applicant **shall clarify** signage locations. Proposed Signage shall undergo Village Staff / Village Consultant review.
 2. Action item 2: Applicant **shall** store used motor oils (5W-30, etc.) and used fluids in separate barrels. Applicant **shall** follow all applicable Village, Dane County, State of Wisconsin, and/or federal laws regarding responsible disposal of used fluids and/or tires. Tires **shall** be stored in the shed.
 3. Action Item 3: Applicant **shall** demonstrate that there is sufficient parking for **five (5)** vehicles - employees plus customers.
 4. Action Item 4: Applicant **shall** limit the maximum duration of time a vehicle may stay on-premises to **forty-eight (48)** hours for outside on-site parking. Vehicles of the customers **shall not** be parked on the street overnight.
 5. Action Item 5: Applicant **shall** engage in business services only within the Building on the Property; repair or diagnostics outdoors on the Property is **not** permitted. Garage door **shall** be closed while vehicles are operated on within the building.
 6. Action Item 6: Applicant **shall** not sell vehicles on the Property.
 7. Action Item 7: Applicant **shall** have a maximum of **two (2)** vehicles inside the indoor shop area.
 8. Action Item 8: Applicant shall demonstrate they
 - a. have an access easement across Parcel No. 080626429361 (owned by TDS/ Black Earth Telephone Company)
OR
 - b. Applicant shall OBTAIN an access easement from TDS/ Black Earth Telephone Company across Parcel No. 080626429361.
 9. Action Item 9: Applicant **shall** apply for one (1) building permit from Building Inspector Tracy Johnson for two (2) identical wall signs. Applicant shall confirm to Building Inspector Tracy Johnson that the signs shall not be mounted more than six (6) inches from the face of the building walls to fulfill Village Code.
 10. The Conditional Use is limited to Parcel No. [107-0806-264-2914-5](#), located at 1111 Mills St. for Mr. Zhi Hang Jiang (“Justin”) doing business as an automobile repair shop.
 11. The owner or operator **shall** keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.

12. Operating hours **shall** be 8:00am-6:00pm from Monday through Friday; Saturdays 8:00am-12:00pm (optional).
 13. If the automobile repair shop operation is abandoned for twelve (12) calendar months or more, this conditional use permit **shall** be terminated. Future re-establishment of an abandoned conditional use permit shall require approval of a new conditional use permit.
 14. This conditional use permit **shall** expire in the event the property is sold or transferred. Continuation or extension of an expired conditional use requires re-application and approval by the Village Board.
 15. Applicant shall have a spill prevention and clean-up plan, and the materials to effectively enact said plan, on premises. Spilled materials shall be responsibly disposed.
 16. Fire Department shall inspect property prior to the start of operations.
 17. That all Village Ordinances are complied with during the life of this CUP.
 18. That the CUP be subject to final review and approval by the Village Attorney.
- b. Zoning Code Updates – Chapter 295 and Chapter 310 – Presentation on ordinance updates by Matthew Miller from Vierbicher. Discussion on the updates, fee schedule, permitting schedule and bulk standards table had. Motion to approve Chapter 295 and Chapter 310 Codes as presented with removal of Transitional Housing language removed by Mitch Hodson, second by Tom Marks. 5 ayes, 2 opposed. Motion carried.
 - c. Certified Survey Map – Webb St, South St, and the lot adjacent to the Railroad (Parcel # 107/0806-264-8653-9) – Survey Map presented by Matthew Miller from Vierbicher. Motion to approve by Jen Schuetz, second by Tom Marks. All ayes, none opposed motion carried unanimously.
10. Discussion: 2026 Budget – Terry updated on the status of budget information coming together. The office is working on reconciling, will be reconciled through September next week. Would like to set up 1 if not 2 budget workshops. Workshops set for Monday October 20th at 6:30PM and Tuesday October 28th at 6:30PM.
 11. Discussion/Action: Invoices to be Paid – Motion to approve invoices as presented by Mitch Hodson, second by Jen Schuetz. All ayes, none opposed.
 12. Committee Reports
 - a. Clerk/Treasurer & Financial Reports
 - b. Vanguard Commission (Hodson) – No meeting due to quorum issues.
 - c. Electrical Superintendent Report (Meier) – Continuing to work on the substation and going daily operations. Transformer installation happened without any flaws or outages, went perfectly.
 - d. Black Earth Fire District (Moyer) – Met on 9/25, had a budget hearing. Next meeting is 11/6.
 - e. Dane-Iowa Wastewater Commission (Moyer) Met 9/16, next meeting 10/16. DNR approved upgrade plans.
 - f. Economic Development Committee – Will meet 10/29.
 - g. Emergency Management (Helmenstine) – Will meet 10/9.
 - h. EMS Committee (Helmenstine) – Met 9/11, next meeting is 11/13. Discussed budget, levy will not change at all from last year.
 - i. Gateway to the Driftless (Schuetz) - TBD
 - j. Library Board (Cavanagh) – Met 9/16
 - k. Library Director Report (Huston) – Hosting different group events. Annual Author Fair at the Historical Society on November 7th.
 - l. President's Report (Moyer) – Received letter of engagement from Johnson Block for the 2026 year. Public Works has been helping Mazomanie providing help and direction while they are looking for a director. This has been going well according to Terry and Matt. We will be billing Mazomanie monthly for services.
 - m. Public Works Director Report (Kahl) – Starting leaf collection, street sweeper will be out more. Black Earth Creek Park concrete had some issues, so that was ripped out and replaced. Boehnen's came in and helped fix up South St after the roadwork was done to smooth out the gravel. They also will be working on some drainage ditches in the next few weeks. Veterans Park bathrooms are closed due to continued vandalism, only opening if someone has reserved the shelter. Sidewalk work will be getting done. One truck is going to Wisconsin Surplus; this was due to be replaced by the new truck which is still getting worked on.
 - n. Public Works Committee (Hodson) – Not met
 - o. Parks Committee – Not met
 - p. Police Committee (Moyer) – Met jointly with Mazomanie 9/30. Welcomed Calvin Watkins back. Will meet again on 12/9.
 13. Any other business that may be brought before the board on future agendas. - None
 14. Setting of the Next Village Board Meeting: Tuesday November 4th, 2025.
 15. Adjournment – Motion to adjourn by Mitch Hodson, second by Tom Marks. Adjourned at 8:24PM.

Minutes taken from meeting audio by Dani Eastman, Village Administrative Assistant.

Village Board Members

Terry Moyer, Mitch Hodson, Dylan Helmenstine, Jen Schuetz, Nathan Cavanagh, Tom Marks and Joe Winandy

Requests for persons with disabilities who need assistance to participate in this meeting should be made to The Village Office at 608-767-2563.