



## Expenses mount for school land

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Land to be given to the Green Lake School District within the Estates of Lawsonia is becoming far from free. The school district has spent more than \$5,300 on legal fees since October in negotiating six to eight acres to be set aside for school use. But now, the two parties have reached a standstill. School District Buildings and Grounds Committee Chairman Gordy Farrell said the sides are "miles apart."

Green Lake County is requiring Lindenwood Development to dedicate six to eight acres to the school. In granting preliminary plat approval in September, county leaders used an ordinance that allows the county to require "not more than 10 percent of the total area of the subdivision plat be offered for dedication to the county, school district or town to provide appropriate sites for parks, playgrounds, public access points, school sites, drainageways and other public green spaces that will be needed to serve the needs of residents of the proposed subdivision plat." School District Administrator Ken Bates confirmed the district spent \$5,392 on legal fees for negotiations in October alone. Although a grand total was not available, Bates estimated this amount comprises the vast majority of the school's legal costs. The sides have not met in person since October, and no legal costs were incurred in September, Bates said.

Representatives from both the school district and Lindenwood Development met in October to negotiate the offer and tour the future Estates of Lawsonia on the east side of the Green Lake Conference Center. That meeting cost the school district approximately \$2,000 for attorney Frank Sutherland from Lathrop & Clark of Madison. Other attorney discussion has taken place via phone and e-mail, Bates said. "We've had to incur legal costs because we haven't been able to reach an agreement with (Lindenwood), and I think it was a wise decision on our part to bring an attorney in since Lindenwood has been doing negotiations through an attorney also," Bates said. However, two months after meeting in person, both parties now say the other is not cooperating or responding. "We met on the 20th [of October] and we looked at some properties," Bates said. "... And then we gave them some thoughts on that, and we haven't heard anything back." "We would like to see where we are. We haven't heard anything," Bates said.

But Lindenwood partner Ted Dominowski has an entirely different perspective. Dominowski said his company and the Conference Center have made offer after offer — but the school isn't biting. At the October meeting, Lindenwood offered "at least three different options and up to 15 percent of the entire area of the development," he said, adding the ordinance allows the county to require up to 10 percent be dedicated. "And yet they still come back looking for choice development land, for whatever reason," Dominowski said. "... They're looking for developable land instead of just the green space." Central to the disagreement is the Woodland Court cul de sac, which abuts Carpenter Lane. "They've asked us to give up an entire cul de sac of five lots valued at probably \$1.5 million," Dominowski said. "They want an entire cul de sac of the development, and we and the Conference Center both find that unacceptable and unnecessary. There's no reason for them to need that specific piece of land." "They essentially want us to abandon that cul de sac — one lot of which is already reserved," Dominowski added.

In addition, the school would like access to, but no ownership of, the retention ponds. Bates said the district indeed has requested Woodland Court, along with an outlot featuring wetlands along the lake. "That seemed to meet the needs of the things we've identified," Bates said. "Like we say, 'woods and water.'" Bates does not feel asking for Woodland Court is unfair. "The board has been very clear on what our requests are," Bates said. "We've identified what these are, and we feel we're being reasonable in our request. And we hope our request will be something that will not only help our students but help the development."

Farrell, too, said Woodland Court is the best land for what the school needs for study and research. "It matches all the things that we had on the list from the staff and all the research that we have found," Farrell said. "(Woodland Court) gives us the best place to satisfy those needs." School officials have spent considerable time checking out possible land on the grounds. "We went out there repeatedly, walked the grounds, walked all the lands," Farrell said. Farrell believes Lindenwood is not cooperating. "They have fought us on every step," he said. "They fought with everybody to get whatever it is they want, so I suspect they're doing the same with us." "We're not asking for the moon," he added. "We're asking for some piece of property that meets the needs of our school." Dominowski disagrees, saying the school is attempting a "land grab." "We can't get them to tell us why they want (Woodland Court) other than 'we want it,'" Dominowski said. He acknowledged that Lindenwood has yet to answer the school's latest proposal, but indicated it isn't acceptable.

Meanwhile, Bates hopes the situation will come to an end sooner than later. "Because we know this is a complex matter, we're willing to be patient, but we'd also like to get this resolved so it doesn't run up any more legal fees," Bates said.