

TOWN OF UNION BOARD MEETING Minutes for December 6, 2007

The Town of Union Monthly Board Meeting was called to order at 7:02 pm on Thursday, December 6, 2007 at the Eager Free Public Library, 39 W. Main Street, Evansville, WI by Chairman Kendall Schneider. Supervisors George Franklin and Don Krajeck were also present. The Pledge of Allegiance was recited.

Clerk's Minutes

The minutes of the October 16, 2007 Special Board Meeting and November 15, 2007 Monthly Board and Budget Meeting were reviewed. George Franklin moved to approve as written. Second by Kendall Schneider. Minutes of October 16, 2007 and November 15, 2007 approved.

Treasurer's Report

Sharon Franklin, Treasurer, reported balances as of November 30, 2007 as follows:

Local Government Investment Pool General Fund	\$ 1,066.83
Park and Recreation Fund	\$ 11,996.14
UB&T Money Market Sweep Account	\$133,107.59
Of which \$50,000 is Contingency Fund	
UB&T Checking Account	\$ 15,000.00
Leedlemill Bridge Certificate of Deposit	\$ 16,887.20
Wayne Disch Memorial Park Fund	\$ 1,718.60
Morning Ridge Stub Road Certificate of Deposit	\$ 18,129.38
Escrow Accounts:	
Conifer Hills 3 rd Addition	\$ 4,000.00
Donna Garvoille	\$ 2,000.00
Affholder	\$ 4,000.00

Treasurer's report approved as read.

Sharon Franklin reviewed for the Board the issue of increasing the charge for returned checks to \$30, to be in line with what other businesses and banks are charging. Motion to approve increasing NSF charge to \$30 made by George Franklin, second by Kendall Schneider. Motion carried by unanimous voice vote.

Building Inspector's Report

Date	Permit #	Parcel #	Name	Address	Description	Construction Cost	Permit Fee	Inspector's Fee Due
11.15.07	07-45-B		Mark Genin	17208 W Evansville/Brooklyn	10x14 Garden shed	\$ 1,500.00	\$120.00	\$110.00
11.17.07	07-7-D		Declan Every	Evansville/Brooklyn Rd	Driveway, joint driveway approved by Town Board- Nov 07			
11.7.07		6-20-38	Jeff Trumpy Land division	Holt Rd & Crocker	4 lot land division & rezone request			\$ 80.00
11.8.07		6-20-32	Prairie Homes Land Division	Holt Rd & Crocker	4 lot land division & rezone request			\$ 80.00
11.9.07		6-20-149	Joel Deckert	W Emery Rd	Conditional use permit to split existing buildings			\$ 80.00

Constable's Report

Constable Kim Gruebling reported receiving a call from the Rock County Sheriff regarding a report of animal neglect; as it is a criminal issue the Town could take no action and the Sheriff is responsible for investigation.

Brush Report

No brush work was done during the previous month. George Franklin laid gravel on Long Road.

Public Comment: 3 minutes max per issue

No comments.

Wind Turbine Study Committee Status Update

Jim Bembinster provided the Board with an update. The Committee has met 10 times thus far. Questionnaires sent out to stakeholders have not been returned at this point in time, but are expected soon. A meeting is scheduled with Brett Davis tomorrow regarding what is happening in Madison with regard to wind energy, legislation, etc. The Committee still plans to be done on schedule. The next meeting is scheduled for Sunday, December 16 at the Village Square Restaurant. The State is discussing appointing a wind siting board, similar to the large animal siting board, which would have the authority to override municipalities' decisions regarding approvals of wind turbines. Overall, (about 2-1) people tend to be opposed to the idea, feeling that the decisions should be handled at the local level. Additionally, because no one at the Public Service Commission is an elected official, consensus is that they should not be allowed decision making authority for such issues. Chairman Schneider asked if anyone knew the total amount of government subsidies available for building wind turbines; Bembinster did not know but felt he may get information from Davis regarding tax incentives and subsidies at the meeting scheduled for December 7. Bembinster further explained that there are currently questions being asked by various groups including: Are citizens are really getting what they pay for? How much power is really produced by wind turbines? It is currently unclear how much power is actually sold back to customers, and how much sits in overage. Power companies are required by the State to run with an 18% overage to ensure against brownouts. Wind turbines must be started from grid power; how many times they are allowed to do this within a day? Because of the large amount of power required to start the turbine engines, large wind farms are required to reserve power on the grid in order to start up, to avoid brownouts.

Cavalier Village Mobile Home Park Update – Ordinance Violations and Licensing

At this point in time, the deadline for addressing ordinance violations is the end of January 2008, with the issue on the agenda for the February 7, 2008 Town Board agenda. It was noted that residents of the park have been addressing some of the ordinance violations.

Public Hearing: Richard Affholder, 4316 Robin Meadow Lane, Eau Claire, Wisconsin 54701 requests a land division and zoning change to create a 16-lot residential subdivision zoned rural residential, from the current 20.2 acre parcel (#6-20-81) zoned A1, located in the NE 1/4 SW 1/4, of Section 10, Fire # 10250 N. Hwy. 14.

Ron Combs presented the Board with a letter on behalf of Richard Affholder, requesting to withdraw the request for land division and zoning change.

Motion to accept the request to withdraw the application for land division and zoning change for parcel #6-20-81 from Richard Affholder made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Public Hearing: Joel Deckert, 224 Kenwood Dr., Thiensville, WI requests a conditional use permit and land division to separate off existing house and farm buildings from its existing A1, 120 acre parcel (#6-20-149) located in the SE ¼, SE ¼ of Section 18. Resulting parcels would be 3 acres zoned A1, and 117 acres zoned A1.

Public hearing opened at 7:27 p.m.

Doug Lee: Stated that he rented the barn located on the piece of property in question until 11/1/07, hole was dug in the backyard of the property prior to that date. He was no longer on the property after November 1, but believes electronic items were buried in the hole. This information was received secondhand. It is his understanding that the potential new owner wants to buy it, fix it up and sell it. He wants to be sure that the Town knows what's been buried there, as the property is close to a creek, and neighbors are concerned. Also requests that a letter be written to the owner of the property stating that there can only be one home put on the 117 acres left after the land division, and that it cannot be divided any further.

Ron Combs: Surveyor for this project. Understands Doug's comments, feels the Building Inspector should be asked by the Board to do an inspection on the property. However, would like the request for land division and conditional use permit approved tonight.

Schneider stated that the Town would retain zoning authority, and further development of the property would be controlled that way.

Franklin questioned if the Building Inspector would have the authority to do anything with regard to the alleged hole or would the DNR have to be involved? Schneider believes the DNR would have to be involved; they have the authority to have the site dug up, and this has occurred in the past.

Public hearing closed at 7:40 p.m.

Schneider mentioned that Attorney Dregne had recommended at the Plan Commission meeting on November 29 that the Smart Growth plan should state "no further division" instead of "no further development." Clerk Ylvisaker will ensure this is added to the agenda for upcoming meetings.

Motion to accept recommendation of the Plan Commission to approve the request from Joel Deckert, 224 Kenwood Dr., Thiensville, WI for a conditional use permit and land division to separate off existing house and farm buildings from its existing A1, 120 acre parcel (#6-20-149) located in the SE ¼, SE ¼ of Section 18. Resulting parcels would be 3 acres zoned A1, and 117 acres zoned A1. Additionally, Board approval of preliminary CSM, made by Kendall Schneider. Second by George Franklin. The Town Board will direct the Building Inspector to inspect the property with regard to the allegation of burying electronic equipment, and will involve the DNR if appropriate.

Roll Call Vote: Kendall Schneider – Yes; George Franklin – Yes; Don Krajeck – Yes. Motion carried 3-0.

Public Hearing: Jeff Trumpy, 17802 Holt Rd., Brooklyn, WI requests a land division and zoning change from A-1 to Rural Residential (RR) in order to create 4 residential lots on the north side of Holt Rd. directly north of Crocker Rd, parcel #6-20-38, located in the SE 1/4 of the NE 1/4 of Section 6. Resulting rural residential lots would be .92 acres in size each, with the remaining 139.48 acres retaining A1 zoning.

The Plan Commission held a public hearing on this request at their November 29, 2007 meeting. Jeff Trumpy formally withdrew his application at the same meeting. Therefore, no public hearing was held at the Town Board meeting.

Motion to accept the withdrawal of application for land division and zoning change by Jeff Trumpy made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Public Hearing: Prairie Homes, LLC, 5440 Wilbur Rd. Suite 101, Waunakee, WI requests a land division and zoning change from A-1 to Rural Residential (RR) in order to create 4 residential lots on the north side of Holt Rd. directly north of Crocker Rd, parcel #6-20-32, located in the SW 1/4 of the NW 1/4 of Section 5. Resulting rural residential lots would be .92 acres in size each, with the remaining 152.84 acres retaining A1 zoning.

This request was on the agenda for the Plan Commission meeting on November 29, 2007 however, the public hearing was not opened as the request was formally withdrawn by Nick Ladopolous prior to the hearing opening.

Motion to accept the withdrawal of application for land division and zoning change by Prairie Homes LLC made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Review and approval of 2008 Annual Maintenance Agreement with Rock County Department of Public Works

Regarding winter maintenance, Krajeck would like to talk with the City of Evansville to see if they would plow Old 92; currently the county does not get the road plowed early enough and the large amount of traffic that uses the road packs any snow on it down, making it difficult to remove completely. He is unaware of any complaints about the plowing on the road so far, but feels they may be forthcoming. Schneider stated he would talk to the City regarding the possibility of plowing Old 92.

Motion to approve 2008 Annual Maintenance Agreement with Rock County made by Kendall Schneider, based on \$675 per mile winter maintenance rate, \$1625 per mile routine maintenance rate for a total of \$2,300 per mile, contract total \$122,889. Second by Don Krajeck.

Discussion: Can the Board approve only the winter maintenance amount? Currently costs are more than what the Town receives in road aid. Krajeck suggested discussing agreement with the Town Attorney, obtaining clarification of what the County is required to do for road maintenance in the Town.

Motion that 2008 Annual Maintenance Agreement with Rock County be forwarded to Town Attorney for review, and comment on what is required by State statute/law/etc to be performed by Rock County. Second by George Franklin.

Motion carried by unanimous voice vote.

Clerk Ylvisaker will forward agreement to Town Attorney for review.

Review and approval of 2008 Maintenance Agreement with Accurate Appraisal

Contract costs have increased \$200 from 2007 agreement. Motion to approve 2008 Maintenance Agreement with Accurate Appraisal made by Kendall Schneider. Second by Don Krajeck.

Motion carried by unanimous voice vote.

Other Business

Krajeck informed the Board that the Town of Fitchburg will be having a railroad meeting on December 18, 2007 at 1:00 pm at the Fitchburg town hall. Town of Union can attend if desired. The purpose of the meeting is to discuss reopening the rail corridor.

Joe O'Brien will be resigning from his position at the Recycling Center. Jerry Krueger stated that for the time being the Center can operate with two attendants, until a decision has been made regarding filling the vacancy.

Pay Bills

There being no further business to come before the Board, a motion was made by Supervisor Franklin, second by Chairman Schneider, to adjourn the meeting. Bills were approved for payment and the meeting was adjourned.

*Respectfully submitted by:
Regina Ylvisaker, Clerk*

Note: Minutes are considered draft until reviewed and approved by the Town Board at a properly noticed meeting.