

TOWN OF UNION

MONTHLY BOARD MEETING

Minutes of Thursday, June 3, 2010

The Town of Union Board monthly board meeting was called to order at 7:01 p.m. on Thursday, June 3, 2010 at the Eager Free Public Library (lower level) 39 W. Main Street, Evansville, WI by Chairman Kendall Schneider. Members in attendance included Chairman Schneider, Supervisors George Franklin and Don Krajeck, Treasurer Sharon Franklin, and Clerk Regina Ylvisaker. Also in attendance were Constable Kim Gruebling, Building Inspector Bob Fahey, and Plan Commission members Alvin Francis and Dave Pestor. The Pledge of Allegiance was recited.

Clerk's Minutes (~~April 21, 2010~~; May 6, May 11, & May 19, 2010)

List of minutes was corrected to eliminate April 21, 2010 and add May 19, 2010.

Motion to approve the minutes of May 6, May 11, and May 19, 2010 as written made by Kendall Schneider. Second by George Franklin. Minutes approved as written by unanimous voice vote.

Treasurer's Report

Treasurer Sharon Franklin reported balances as of May 31, 2010:

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,406.23
UB&T Money Market Sweep Account	\$	90,606.60
Of Which \$0 is Contingency Fund, And \$5,000 is Re-Valuation Fund		
UB&T Checking Account	\$	10,000.00
Leedlemill Bridge CD	\$	18,322.04
Wayne Disch Memorial Park Fund	\$	2,144.13
Morning Ridge Stub Road CD	\$	19,739.88
Escrow Accounts:		
Robert Janes/Bakers Crossing	\$	813.77

Building Inspector's Report

Building Inspector Bob Fahey reported issuing the following permits and conducting the following inspections during May, with a building permit from April and an occupancy permit from March included as well:

Date	Permit #	Name	Address	Description	Construction Cost
4.5.10	10-11-B	Templeton Farms Inc.	9743 N Evansville/Brooklyn Rd	30 x 60 Calf Barn	\$35,000.00
5.15.10	10-12-B	Gene Heiman/ Geneo's Bar	7530 N Hwy M	New Furnace & AC(installed previous)	\$7,000.00
5.19.10	10-13-B	Hammer Builders/ Tom & Lynn Olson	13930 W Northridge	Addition to home	\$55,000.00
5.1.10	10-14-B	Charles Belk	8035 N Ridge Ct	Basement bathroom	\$2,500.00
5.23.10	10-15-B	Brashi Const./ Patti Shea & Gary Taylor	10303 N Harold Dr	New Home (1)	\$387,407.00
5.15.10		Mobile Home Park License Inspections(5)			
5.15.10		Alcohol License Inspections (3)			
5.8.10		Don Maas	7337 N Pleasant Prairie Rd	Met Tower/CUP application	

3.22.10		Dan & Kelly Gildner	N Hwy 14	Permanent occupancy of new home	
5.1.10		James & Brenda Cornwell	13532 W Travis Trace	Occupancy of new home	

Constable’s Report/Humane Society Contract Update

Contract is finalized. Constable Kim Gruebling reported no calls and no problems during the month of May.

Brush Report

George Franklin reported cutting brush on Bullard Road, and straightening a Stop sign on Bullard & Tupper Roads. Noted that some landowners have cut a little bit of brush on their own. Someone cleaned up by the guardrails by Rich Templeton’s; Jerry Krueger noted a bridge marker is missing by the guardrails. Regina Ylvisaker will order bridge markers.

Roadwork Update

Don Krajeck reported talking to Wayne Udulutch about April and May bills for Town of Center, which should total \$700 for April, and \$471 for May thus far. Hard copies should be forthcoming. Bills are for material and labor for patching done by Jerry Krueger and Josh Wisner. The Town is still working on the plowing contract with Al Miller; Kendall Schneider stated Miller has agreed to do Dreamview Court, Teresa Lane and Harold Drive as part of routine roads, and the Town will be responsible for the remaining subdivisions. Roadside mowing has just begun.

Schneider would like to do some crack filling this year. Krajeck noted that the plow truck still needs four tires. Out of the Town’s approximately \$125,000 roadwork budget, Schneider would like to do \$50,000-\$60,000 in road work. Noted potholes on Cemetery Road, Crocker Road and Evansville-Brooklyn Road, as well as Old 92 north of the Magnolia township line.

Public Comment (5 minutes max per issue; no action will be taken on any issues)

Harold Abey wanted clarification about the Town suing Donald Maas as was discussed at the last Plan Commission meeting; it was clarified that the Town is in negotiations with Acciona to pay forfeitures for the expired CUP, and no one is being sued. Franklin stated he would speak with Don Maas to be sure he is clear on the situation.

Doug Rebout was in attendance on behalf of the Rock County Farm Bureau, which is sponsoring a “Focus on Agriculture” meeting on June 30, 2010 from 10:00 a.m. – 1:00 p.m. The Bureau is inviting all local municipality representatives to the meeting at the Roger Rebout & Sons farm west of Janesville on Mineral Point Road, south of County A. There will be a farm tour, lunch, speakers, and a question and answer session, all in the hopes of demonstrating to elected officials the importance that farms have on our communities. Rebout was in attendance to invite the Town Board and Plan Commission, as well as the public. There is a lot of legislation relating to agriculture at the state and federal level and it is time to educate people about the importance of agriculture in our communities.

Sharon Franklin stated that Tonto Abey called and stated that Tom Davis is renting out his facilities for graduation parties, and wondering if he needs permission to do so. Schneider stated that alcohol would be the main concern. No action can be taken on the issue at this time as the issue is not on the agenda.

Public Hearing: Adoption of Changes to Town of Union Chapter 17-Zoning Ordinance, Section 17.15 (3) (d)

Clerk Ylvisaker reviewed the changes to the ordinance. The proposed changes essentially request submission of a survey map with mobile home licensing applications on an annual basis that meets the same requirements as the survey map required of parks upon initial application. Currently a map is not required as part of the annual license application and quality, useable maps are not available for all parks. The Board has stated in the past their desire for more comprehensive maps of all mobile home parks.

Public hearing opened at 8:04 p.m.

Alvin Francis asked if building permits were required in mobile home parks; they are.

Public hearing closed at 8:06 p.m.

Motion to include proposed language made by Don Krajeck. Second by George Franklin. It was clarified that parks can submit a copy of the initial map with subsequent annual applications as long as no changes have been made; having new maps created every year is not the intention of the Board nor the language.

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

Further discussion followed on requiring the submission of a copy of each park's Wisconsin Department of Commerce Manufactured Home Community License Application and License. Each park should be licensed and have a copy of this license and it was agreed by the Board that requesting a copy of the license with their annual application was not unreasonable.

Motion to require mobile home park license applicants to submit a copy of their Wisconsin Department of Commerce Manufactured Home Community License with their annual mobile home park license renewal application made by Don Krajeck. Second by George Franklin.

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

Issue reopened at 9:37 p.m. Following discussion, a motion was made by Don Krajeck to add that mobile home park license applicants include a current copy of the permit issued to their community from the Rock County Health Department-Environmental Health Division with their annual mobile home park license renewal application. Second by George Franklin.

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

Public Hearing: Adoption of Resolution 2010-02, Resolution Repealing Town of Union Chapter 19-Town of Union Adoption of Rock County Stormwater Management Ordinance (Chapter 28)

Public hearing opened 8:22 pm

Schneider explained that action was previously taken by the Board to repeal the Town's Resolution; adopting a formal resolution was a suggestion made by legal counsel.

Public hearing closed at 8:23 p.m.

Motion to adopt Resolution 2010-02, Resolution Repealing Town of Union Chapter 19-Town of Union Adoption of Rock County Stormwater Management Ordinance (Chapter 28) made by Kendall Schneider. Second by George Franklin. Motion carried by unanimous voice.

Public Hearing: Adoption of Changes to Town of Union Alcohol Licensing Ordinance Section 5.02

Clerk Ylvisaker reviewed the proposed changes to the ordinance, most notably:

- Further clarification of the expiration date of retail alcohol licenses.
- Further clarification of the proration of license fees for licensing periods of less than 12 months.
- Further clarification of the agencies required to conduct annual inspections of facilities prior to issuance of annual retail alcohol licenses, to include police/sheriff's department and county health officer.
- Requirement that operator license applications and application fees be submitted to the Town Clerk at least fifteen (15) days prior to the date the license is to be issued, with the exception of provisional operator licenses.
- Provision that all applications for operator's licenses will be forwarded to the Evansville Police Department (the "investigating authority") for a background check.

- Provision that the Town Clerk shall distribute operator licenses via U.S. mail to the address of the establishment which the license is issued to, unless otherwise requested by the applicant at the time of application.
- Clarification that operator license applicants must have either held an operator's license or completed an approved training course in the two years *immediately preceding* the date of application for an operator's license from the Town of Union.
- Authority for the Town Clerk to issue provisional operator's licenses, which expire either 60 days after date of issuance or after the issuance of an operator's license, whichever occurs first.

Public hearing opened at 8:30 p.m.

No comments received from public.

Public hearing closed at 8:31 p.m.

Motion to accept proposed changes made by George Franklin. Second by Don Krajeck.

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

Public Hearing: Adoption of Amendments to Town of Union Resolution 2006-06, Adoption of Permit & Application Fees & Per Diem

Clerk Ylvisaker reviewed the changes to the Resolution:

- Operator License application fees have been increased to \$25 per application.
- Clarification was made that all operator licenses, alcohol beverage retail sales licenses and cigarette licenses expire annually on June 30.
- Clarification was included that provisional operator licenses expire 60 days after date of issuance or upon issuance of an operator's license

Public hearing opened at 8:35 p.m.

No comments received from public.

Public hearing closed at 8:36 p.m.

Motion to adopt proposed changes to Town of Union Resolution 2006-06, Adoption of Permit & Application Fees & Per Diem made by Kendall Schneider. Second by George Franklin. Motion carried by unanimous voice vote.

Discussion: Development of Conditional Use Permit Revocation Process

Gruebling stated the Town currently has no effective mechanism for revoking a permit. He feels a joint Board/Plan Commission meeting, with legal counsel, is needed to discuss the issue and find a solution.

Discussion: Prevailing Wage Law

Carried over from last month's agenda; no discussion.

Discussion/Action: Appointment of Alternate For Recording of Minutes in Absence of Clerk

The Board agreed that the Plan Commission Chairman should be responsible for finding an alternate when the Clerk will be absent from a meeting.

Discussion: APPI Noise Study Parameters and Cost

Franklin stated he spoke to Brett Frank about the issue, and Frank stated he is willing to pay for part of the study. At that time there was no cost estimate available. The current cost estimate received from Sanchez Industrial Design in Middleton is \$5,090. Schneider is of the opinion that those who have complained and requested a sound study should pay for it. Gruebling believes that the Town may be

responsible for enforcing our ordinances including performing studies related to complaints, and that reviewing with legal counsel would be appropriate. Alvin Francis thought the DNR may have requirements for noise as well as dust, and perhaps that information could be incorporated into our ordinances. Board will discuss with legal counsel.

Cavalier Village Status Update

No update.

Recycling Center Update/Electronics Recycling Discussion

Krajeck reported receiving estimates of \$7,300 to put in overhead power to the center, and \$7,400 to have it buried. Franklin reported he had repaired the shed. Krajeck has not yet received a cost estimate on building a new shed.

Approval of Liquor Licenses

Motion to approve licenses for Evansville Golf Association, Union Tavern, and Geneo's Bar made by Don Krajeck. Second by George Franklin. Motion withdrawn.

Motion to issue licenses for Evansville Golf Association, Union Tavern, and Geneo's Bar pending resolution of all fire, safety and building code violations for all establishments made by Don Krajeck. Second by Kendall Schneider. Motion carried by unanimous voice vote.

Approval of Operator's (Bartender) Licenses

Motion to approve list of applicants as provided by Clerk Ylvisaker made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Approval of Cigarette Licenses

Motion to approve cigarette licenses for Union Tavern and Geneo's Bar made by Kendall Schneider. Second by George Franklin. Motion carried by unanimous voice vote.

Approval of Mobile Home Park Licenses

Clerk Ylvisaker noted various missing information in the applications, outside of the new application requirements approved tonight.

Motion to approve mobile home park licenses for the 2010-2011 licensing period for Midway Village, Valhalla, Birchwood Trailer Court, Fair Street Village pending receipt of any missing information currently required and receipt and approval of information required in newly adopted Town of Union Zoning Ordinance section 17.15; and approval of 2010-2011 license for Cavalier Village pending receipt of any missing information currently required and receipt and approval of information required in newly adopted Town of Union Zoning Ordinance section 17.15 and approval of legal counsel made by Don Krajeck. Second by George Franklin. Motion carried by unanimous voice vote.

Clerk Ylvisaker will notify each applicant of any missing application materials and new application requirements and anticipate having complete applications for consideration at the July Board meeting.

Evansville-Union Implementation Committee Update

No update.

Pay Bills

There being no further business to come before the Board, a motion was made to adjourn by Don Krajeck and seconded by George Franklin. Motion carried by unanimous voice vote. Meeting adjourned at 9:42 p.m.

Respectfully submitted by Clerk Regina Ylvisaker

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