

TOWN OF UNION MONTHLY BOARD MEETING Minutes of Thursday, August 5, 2010

The Town of Union monthly board meeting was called to order at 7:02 p.m. on Thursday, August 5, 2010 by Chairman Kendall Schneider. Board members in attendance included Chairman Schneider and Supervisors George Franklin and Don Krajeck. Also in attendance were Treasurer Sharon Franklin, Clerk Regina Ylvisaker, Constable Kim Gruebling, Building Inspector Bob Fahey, and Plan Commission members Dave Pestor and Eric Larsen. The Pledge of Allegiance was recited.

Clerk's Minutes (July 8, 2010)

Motion to approve minutes of July 8, 2010 as written made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Treasurer's Report

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

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,413.08
UB&T Money Market Sweep Account	\$	112,634.42
Of Which \$2,862 is A1 Conversion Fees, And \$25,000 is Re-Valuation Fund		
UB&T Checking Account	\$	10,000.00
Leedlemill Bridge CD	\$	18,322.04
Wayne Disch Memorial Park Fund	\$	2,145.22
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 5 building permits and 2 driveway permits during July:

Date	Permit #	Parcel #	Name	Address	Description	Construction Cost	Permit Fee
7.7.10	10-22-B	6-20-66.1	Terry & Amy Kersten	16341 W Union Rd	New Home (2)	\$225,000.00	\$1,160.72
7.9.10	10-2-D	6-20-224.6A3	Larry Wainright	2728 Pohens Ave. NW, Grand Rapids MI	Driveway for lot 3 on W Forest Ridge Trail		\$400.00
7.9.10	10-3-D	6-20-129	Rod Leeder/Randy Shottliff	9402 N Evansville/Brooklyn	Replace & extend field drive 100' north of house drive		\$60.00
7.9.10	10-4-D	6-20-158A	Rod Leeder/Randy Shottliff	8837 N Evansville/Brooklyn	New field drive		\$60.00
7.15.10	10-23-B	6-20-173.2	Ginger Larson/AB Electric	16124 W Hwy C	Electric service		\$60.00
7.18.10	10-24-B	6-20-246	Don Maas/Buttchen Electric	17719 W Hwy C	Electric service		\$60.00
7.25.10	10-25-B	6-20-330.22	John Schneider	15542 W Francis Rd	Deck	\$1,000.00	\$120.00
7.25.10	10-26-B	6-20-338.5	Matt & Sonya Keyser/ Shawn Miller Construction	13013 W Glacier Dr	sun room & deck	\$20,000.00	\$230.00

Constable's Report

Constable Kim Gruebling reported receiving no calls during July.

Brush Report

Nothing to report

Roadwork Update

Schneider would like crack filling on Evansville Brooklyn Road from County C to Templeton Farms; Harold Drive; and N. Union from Highway 59 to the County line. Crack Filling Services has provided an estimate of \$12,900 for performing the work. Schneider would additionally like to slurry seal Morning Meadow; Harvest Moon from Morning Meadow to the cul-de-sac; and Harvest Moon from Morning Meadow to the end of the street.

Motion made by Kendall Schneider to proceed with crack filling Evansville Brooklyn Road from County C to Templeton Farms; Harold Drive; and N. Union from Highway 59 to the County line at a cost of \$12,900 and to have the work performed by Crack Filling Services. Second by Don Krajeck. Motion carried by unanimous voice vote.

Motion made by Kendall Schneider to proceed with slurry sealing on Morning Meadow; Harvest Moon from Morning Meadow to the cul-de-sac; and Harvest Moon from Morning Meadow to the end of the street. Second by George Franklin. Motion carried by unanimous voice vote.

Schneider informed the Board that he sent a letter of termination to Rock County terminating their roadwork services.

Motion to approve expenses of \$1,265 for four rear tires for the plow truck made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Franklin noted the truck needs a spotlight, and the Town will need to purchase a couple of chain saws and a set of tire chains. Franklin is unsure if the truck needs a DOT number; he will check on it.

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

Franklin noted that he received a call from Pat Harten, who complained that Gildner's cattle had been getting out onto his adjoining land. This has apparently been an issue for awhile, and Harten wondered if the Town would get involved; Franklin told him it was not the Town's place to become involved in such matters.

Public Hearing: Action on Plan Commission recommendation on request made by Tom Davis, 10608 N. East Union Rd, Evansville, WI 53536 to separate off 8 acres including existing residence from the existing 43.89 acre parcel located at 10608 N. East Union Rd. in the SE ¼ of section 1, NE ¼ of Section 12, parcel #6-20-94.001. The existing 43.89 acre parcel is zoned A1; the proposed 8 acre parcel would be rezoned A3, and the parent parcel would retain A1 zoning.

Public hearing opened at 7:21 p.m.

Peter Conrad, Axley Brynleson, was in attendance representing the Davis'. Noted that the Plan Commission recommended approval at their July meeting.

No public comments.

Public hearing closed at 7:24 p.m.

The issue of placing a deed restriction on a portion of the property was discussed at the Plan Commission meeting but was not part of their motion recommending approval. Eric Larsen stated that the issue was the difficulty of placing a restriction on any further building. Bob Fahey did not see any problems with the Uniform Dwelling Code and the conversion of the lodge into a residence, it just might need more work to be in compliance. Franklin believes that he has to look at what is best for the Town, and in the last few years it has cost the Town a lot of money in legal fees, etc for complaints that neighbors have had regarding the Davis' property. Given that, he doesn't think the Town needs another house in this location right now, and he is opposed to the land division at this time as proposed. Placing a deed restriction on

the parcel would not change his mind.

Motion made by Don Krajeck to accept the Plan Commission recommendation to approve the **request made by Tom Davis, 10608 N. East Union Rd, Evansville, WI 53536 to separate off 8 acres including existing residence from the existing 43.89 acre parcel located at 10608 N. East Union Rd. in the SE ¼ of section 1, NE ¼ of Section 12, parcel #6-20-94.001. The existing 43.89 acre parcel is zoned A1; the proposed 8 acre parcel would be rezoned A3, and the parent parcel would retain A1 zoning.** The Plan Commission discussed the request to a great extent and followed the Town's existing zoning ordinances and comprehensive plan. Second by Kendall Schneider.

Schneider was unsure if the dissenting Plan Commission votes wanted a deed restriction or didn't agree with proposal at all. In his opinion, the main point is that the request meets the Town's comprehensive plan and zoning ordinances, and as such there is no legal reason to disallow the split. Franklin thought that Doug Lee brought up the issue of the Davis' stating when they initially purchased and/or divided the parcel that there would be no further land divisions, and this may be part of the reason for the "no" votes.

Roll call vote: Kendall Schneider – Yes; George Franklin – No; Don Krajeck – Yes. Motion carried 2-1.

Franklin asked Conrad if the applicants understood that any outstanding taxes, legal costs related to the application, and ag conversion fees must be paid prior to the CSM being approved and the division being finalized. Conrad stated it was understood.

Board Action: Website Host Change

Larsen reported he has been able to get more information uploaded in a more useable format, and upcoming meetings, etc. should be no problem to maintain. He would like to see events listed in a calendar format, and will work on that. He would also like to upload the land division/conditional use permit application forms.

No host change will take place at this time.

Board Action: MET Tower Forfeitures

Motion made by Kendall Schneider to accept the offer made by Acciona to include 1) a payment of \$6,000 to release the Town's claims; 2) a payment of \$1,239 for legal expenses related to the tower; 3) removal of the tower no later than 30 days after the existing corn in the surrounding field is harvested, and 4) payment of forfeitures of \$250 per day for each day following the 30 day deadline that the tower is not removed. Second by George Franklin. Motion carried by unanimous voice vote.

Land Division/Zoning Change Application Fees, Ag Land Local Conversion Fees Discussion

Motion to approve proceeding with proper procedure to change current resolution establishing fees to reflect the addition of \$100 to the application fees for zoning changes in which land zoned A1 is rezoned made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

The Plan Commission approved the following motion at their July meeting:

"Motion made by Renee Exum to recommend to the Town Board to charge an additional fee to the State conversion fee for Town costs related to farmland preservation planning, zoning or compliance monitoring, including Town-developed farmland preservation programs. The amount of the additional fee shall be 50% of the State conversion fee that is applied to rezoning land out of an A-1 district. Second by Eric Larsen. Motion carried by unanimous voice vote."

Krajeck would like to have a better idea what the additional fees would be used for before putting it in place. Larsen stated that currently the funds would be used toward offsetting costs related to implementing the working lands program and related changes to the Town's zoning ordinances; after that the funds could be used for Purchase of Development Rights programs or similar programs.

Motion made by Kendall Schneider to send the request back to the Plan Commission for further clarification of the exact uses of the proposed fees, such as drafting an idea or working model. Second by Don Krajeck. Motion carried by unanimous voice vote.

Larsen asked what specifically Schneider was looking for; Schneider stated he wants to know what exactly the fees could/would be used for, and what would be needed to put the proposal into ordinance form.

Board Action: Formal Request for Rock County to Provide Base Farm Tract Mapping and Proposal/Contract for Assistance in Comp Plan Recertification Process

An official letter from the Town requesting services from the County is required per Wade Thompson; Regina Ylvisaker has prepared the letter for signature. Following review by the Board, the letter was approved and signed. Ylvisaker will forward to Thompson.

Discussion: Moratorium on Land Divisions, Zoning Changes, and related Conditional Use Permits as Recommended by Plan Commission

Franklin asked why the idea of a moratorium was brought up; Dave Pestor stated that Doug Lee had concerns about the land divisions occurring in the recent past and the lack of clear policy for the Commission to follow when reviewing requests. Larsen stated that the Town has received a lot of requests for land divisions lately dividing A3 parcels off of A1 parcels, and located within the farmland preservation area, and the Commission needs to clear up their policy on the farmland preservation area and land divisions/zoning changes within it. Larsen stated that the Commission wants to be sure that the decisions they make are in the best interest of the Town, and would like to be clear on how these situations should be handled in the future. Schneider stated that the current comp plan can be amended at any time, and he would rather see them do that than enact a moratorium. Krajeck is not in favor of the idea of a moratorium either. No action taken at this time.

Operator License Approval: Amy Arms, Geneo's Bar

Ylvisaker stated the application fee had not been received to date; no action taken by the Board.

Cavalier Village Status Update

Waiting to schedule a meeting with Cavalier Village counsel.

Recycling Center Update/Electronics Recycling Discussion

Robert O'Leary had planned to leave employment at the Center the end of the summer; Jerry Krueger stated he has now decided to leave earlier and not work some of the dates he had signed up for in August. O'Leary has requested a leave of absence from his position at the Center; the Board agreed it was unfair to any new hires to allow O'Leary to resume work when he returns and effectively "bump" any new hires out of their job. Krueger stated that Pat Beggs has indicated an interest in working at the Center.

Motion made by George Franklin to accept resignation letter from Robert O'Leary, with the clarification that the Board will not accept a leave of absence but instead O'Leary will need to reapply for the position when he returns. Second by Don Krajeck. Motion carried by unanimous voice vote.

Motion to hire Pat Beggs as a temporary employee made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Mobile Home Park License Status Update/Board Action if Necessary

The Board reviewed the park map submitted by Brzezinski's for Birchwood Trailer Park. The Board agreed that the map was too old (dated 1973), and is a "proposal" not a final map. Fair Street Village submitted a survey map that was acceptable to the Board. A mobile home park license will be issued to Fair Street Village, and a license will not be issued at this time to Birchwood as the map submitted is not acceptable to the Board.

Pay Bills

There being no further issues to come before the Board, a motion to adjourn was made and seconded. Meeting adjourned at 8:45 p.m. Bills were reviewed and approved for payment.

Respectfully submitted by Clerk Regina Ylvisaker.

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