

**PUBLIC BUDGET HEARING/SPECIAL TOWN MEETING
OF TOWN OF UNION ELECTORS
Minutes of November 11, 2011**

The Public Budget Hearing and Special Town Meeting of Town of Union Electors was called to order at 6:30 p.m. at the Eager Free Public Library, 39 W. Main St., Evansville, WI by Kendall Schneider.

To adopt the 2011 Town tax levy of all or part of the sum needed to balance the budget with balance to be taken from the surplus pursuant to §60.10(1)(a).

Clerk Regina Ylvisaker reviewed the 2010 budget vs. 2011 budget; the 2011 levy amount of \$261,532.00 is down 2.45% from the 2010 levy amount of \$268,113.92. The 2011 levy is the maximum amount allowed without additional action taken by Town electors. Alvin Francis asked for clarification regarding the 15.52% increase in general government expenditures in 2011; Ylvisaker explained that the majority of the increase comes from the cost of the revaluation that is above what the Town had already set aside for the process. Francis also asked where the forfeitures from the MET tower were located. Ylvisaker explained that because they were not budgeted they do not show up on the budget worksheet distributed for 2010 or 2011; they will be shown in the "Fines and Forfeitures" income area of the 2010 Town's Annual Report.

Motion to adopt the 2011 Town tax levy in the amount of \$261,532.00 made by Jim Bembinster. Second by Alvin Francis. Motion carried by unanimous voice vote.

To authorize the Town Board to hire Town officers as employees of the Town and set an hourly wage pursuant to §Sec. 60.10(1)(g).

Chairman Kendall Schneider outlined the reason for the authorization, which allows Town officers to perform duties outside their normal work as officers and receive the same wages as other Town employees (currently \$10/hr.). An example would be a Town Supervisor assisting with brush cutting.

Motion made by Jim Bembinster to authorize the Town Board to hire Town officers as employees of the Town and set an hourly wage of \$10. Second by Cathy Bembinster. Motion carried by unanimous voice vote.

Motion to close the public meeting of Town electors made by Kim Gruebling. Second by Dave Pector. Motion carried by unanimous voice vote.

**TOWN OF UNION
MONTHLY BOARD MEETING
Minutes of November 11, 2011**

The Monthly Town Board Meeting was called to order at 6:45 p.m. by Chairman Kendall Schneider. Members in attendance included Chairman Schneider, Town Supervisors George Franklin and Don Krajeck, Treasurer Sharon Franklin, Clerk Regina Ylvisaker, Constable Kim Gruebling, and Building Inspector Bob Fahey. Also in attendance were Plan Commission members Alvin Francis and Dave Pector. The Pledge of Allegiance was recited.

Clerk's minutes (October 7, 2010)

Motion to approve the minutes of the October 7, 2010 Board meeting as written made by Don Krajeck. Second by George Franklin. Motion carried by unanimous voice vote.

Treasurer's report

Treasurer Sharon Franklin reported the following balances as of October 31, 2010:

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,420.08
UB&T Money Market Sweep Account	\$	96,086.32
Of Which \$2,862 is A1 Conversion Fees, And \$25,000 is Re-Valuation Fund		
UB&T Checking Account	\$	15,000.00
Leedlemill Bridge CD	\$	18,875.23
Wayne Disch Memorial Park Fund	\$	2,146.26
Morning Ridge Stub Road CD	\$	19,941.66
Escrow Accounts:		
Robert Janes/Bakers Crossing	\$	813.77

Constable's report

Constable Kim Gruebling reported receiving no calls during the month of October.

Gruebling reported that regarding the issue of ATV use on Town parkland off Robert Dr., he has taken pictures of the damage which were distributed to the Board. Derek Klaehn, resident, also reported that ATV usage has gone down but does continue at least one to two times per week. A trailer and trash have been hauled into the park ask well, per Klaehn.

Building Inspector's report

Building Inspector Bob Fahey reported issuing 5 permits during October.

Date	Permit #	Parcel #	Name	Address	Description	Construction Cost
10.8.10	10-34-B	6-20-338.11	Joe Scarpelli	12952 W Glacier Dr	10 x 10 Shed	\$ 900.00
10.8.10	10-35-B	6-20-305E	Kristin Shoemaker/ Arch Heating	6909 N Hwy M Lot 53	Furnace replacement	\$ 2,400.00
10.16.10	10-36-B	6-20-257.3	Scott McElroy	18047 W Croft Rd	30' x 50' addition to Pole shed	\$ 10,000.00
10.10.10	10-37-B	6-20-305C	Landmark Cooperative	6631 N Hwy M	Grain Bin - 575,000 bushel	\$ 900,000.00
10.12.10	10-38-B	6-20-338.7	Fran Hansen	13041 W Glacier Dr	Redo existing basement items due to code/safety issues	unknown at this time

Cavalier Village Status Report**

Motion to move into closed session for discussion of the Cavalier Village Status Report after regular meeting and payment of bills made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Approval of EMS/Fire Contracts

Nothing has been received from either Brooklyn or Evansville fire departments to date, Evansville EMS contract has been received. Item will be tabled until the December Board meeting.

Road Work 2011

Schneider reported that the Leedle Mill Bridge will be taken down, not moved. Anticipated costs for removal will be part of the full contract, 10% will be Town's responsibility. Overall bridge costs for the Town may be \$40,000 – \$45,000.

Kristi VanDerArk, Croft Rd.: asked if the new patrolman will handle clearing out culverts, and replacing missing road signs; he will.

Regarding the snowplowing contract with Footville Trucking; Al Miller stated it has been reviewed by attorney.

Motion to approve and sign contract for snowplowing removal services with Footville Trucking Corp. made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

Appointment of Road Patrolman

Schneider reviewed the advertising and interview process that had been followed by the Town to fill the position. The applicant selected for hire will need to successfully pass a pre-employment physical and drug screen prior to official appointment.

Motion to appoint Josh Wisner to the position of part-time Road Patrolman, contingent upon the successful completion of a pre-employment physical and drug test, with a start date as soon as reasonably possible following receipt of the results from the tests made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Board approval of 2011 budget

Motion to approve 2011 budget made by Don Krajeck. Second by Kendall Schneider. Motion carried by unanimous voice vote.

Board Action: Authorization for Legal Counsel to Commence Legal Proceedings in the Following Matters: Gildner Property/Removal of Second Home; Non-Licensed Mobile Home Parks; ATV Use and Damage to Town Property

Town Attorney Lis Howard was in attendance to review the issues.

Regarding the Gildner property, Howard recommended sending the property owners a letter ordering removal of the second home by a certain date, with forfeitures possible. Howard would need Board authorization to send the letter, and the issue would need to return to the Board for any further legal action to take place beyond the letter and course of action outlined within it. Regarding forfeitures, they could be sought back to July 15, 2010, the original date of removal of the second house approved by the Board.

Motion to authorize legal counsel to prepare and send letter a letter to the Gildners ordering removal of the second house on their property by December 31, 2010 and including the option of the Town assessing a \$50 per day forfeiture dating back to July 15, 2010 if the house is not removed made by Don Krajeck. Second by George Franklin. Motion carried by unanimous voice vote.

Regarding unlicensed mobile home parks, which in addition to Cavalier Village also include Birchwood Trailer Court and Valhalla Mobile Home Park, Howard recommends filing lawsuit for non-licensure and seeking forfeitures for each day of violation since their last license expired. This is the manner in which Cavalier Village is being handled and it is important to maintain consistency with all unlicensed mobile home parks.

Motion to authorize legal counsel to begin the process of initiating lawsuits for non-licensure of mobile home parks made by Kendall Schneider. Second by George Franklin. Motion carried by unanimous voice vote.

Regarding the unauthorized use of ATVs on Town parkland, and resulting damage to Town property, Howard reviewed different types of claims that could be pursued by the Town. A charge of criminal damage to property would be referred to the District Attorney for prosecution. The Town could bring a charge of 'civil liability for unauthorized harvesting of raw forest products (removal of trees).' This charge would seek payment from the defendants for the cost of the trees they removed from Town property, damage done to Town property, and legal fees incurred in prosecuting the case. Legal counsel needs to know what direction the Board would like to proceed and authorization to move forward. Evidence of the damage will need to be collected, and a demand letter will need to be sent with a lawsuit filed if the defendants do not respond to the demand letter.

The Board agreed that it was not realistic to proceed with contacting the DA to file charges at this time.

Motion to authorize legal counsel to proceed with the charge of 'civil liability for unauthorized harvesting of raw forest products' made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Board Action: Approval of Resolution Authorizing State/Municipal Agreement for Highway Improvement Project: Leedle Mill Road Bridge Replacement

Motion to approve Resolution Authorizing State/Municipal Agreement for Highway Improvement Project: Leedle Mill Road Bridge Replacement, superseding the October 7, 2010 resolution, made by Kendall Schneider. Second by George Franklin. Motion carried by unanimous voice vote. Schneider requested that a copy of the minutes from this meeting be attached to the resolution when returning to the County.

Public Hearing: Adoption of a Partial Code of Ordinances

Howard suggested the Board consider adding a general chapter in beginning of the Code covering construction of ordinances, penalties, etc. An example of such a chapter from Belleville was distributed. Howard also distributed a sample table of contents for consideration, also from Belleville.

Howard also recommended inserting language into the Zoning/Land Division Ordinances to ensure the Town is reimbursed for legal fees related to conditional use permits and land divisions/zoning changes.

Motion to table the adoption of a partial code of ordinances and citation ordinance until the December Board meeting made by Don. Second by George Franklin. Motion carried by unanimous voice vote.

Public Hearing: Adoption of Citation Ordinance

Tabled until December Board meeting.

Public Hearing: Adoption of Ordinance adopting Temporary Moratorium on the Construction of Large Wind Energy Systems

Public hearing opened at 7:41 pm

Schneider explained that this ordinance simply continues the prior moratorium which was in place and expired in October 2010.

Howard noted that the duration of the ordinance should be changed from the 6 months indicated on the copies distributed, to 12 months, which was the intent of the Plan Commission

Public hearing closed at 7:45 pm

Motion to accept Ordinance 2010-04, An Ordinance adopting Temporary Moratorium on the Construction of Large Wind Energy Systems, with change in duration from 6 months to 12 months made by Kendall Schneider. Second by George Franklin.

Roll call vote: Kendall Schneider – Yes; George Franklin – Yes; Don Krajeck - abstained.
Motion carried 2-0.

Public Hearing: Adoption of Amendments to the Town of Union Zoning Code Section 17.25 (6) “Performance Standards: Noise”

Plan Commission did not take any action on this at their October meeting; table until December Board meeting.

Motion to table until December Board meeting made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Discussion: Farmland Preservation Landowner Meeting

Gruebling noted that another meeting is scheduled through the Towns Association in Janesville regarding farmland preservation/working lands, Plan Commission members could attend. The cost is \$35 per attendee. Francis brought up an Agricultural Enterprise Areas meeting scheduled for November 30 in Janesville. There is no cost to attend the meeting. The training opportunities will be added to the Plan Commission agenda for November and discussed at that time.

No decision was made on scheduling a Town landowner meeting to discuss farmland preservation initiatives within the Town of Union.

Recycling Center Update

The new center office was installed last week, and the floor has been watersealed. Jerry Krueger noted that traffic at the Center is starting to slow down as the weather turns colder. Krueger will take Wisner to the Center to instruct him on snowplowing issues related to the Center.

Schneider read in a letter of appreciation to Evansville High School Beginning Carpentry instructor Rob Kostroun from the Board, thanking him and his class for their work on the new office for the Recycling Center. Motion to approve letter to Kostroun made by Don Krajeck. Second by George Franklin.

Krajeck also acknowledged the work of George Franklin and Dave Rich in their efforts to move the building to the Center from the high school.

Approval of 2011 Meeting Date Schedule/Location

Motion to approve the 2011 meeting date schedule by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote. Issue of location change tabled until December Board meeting.

Public Comment

Bob Janes stated that regarding the City of Evansville growth, boundary, etc. maps he sent out earlier, the City has now identified 4 zones on the periphery of the City totaling 1820 acres of Town land as their future growth area. Janes believes this move will stop any Town growth in those areas. The areas identified for growth on the City maps are in all directions around the City, and all within extraterritorial jurisdiction. The City has ignored the recommendations of the EUIIC, and have asked for no Town input on boundaries.

Pay Bills

Bills were reviewed and approved for payment.

Motion made to adjourn open session and reconvene in closed session made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Motion to move into closed session made by Don Krajeck. Second by Kendall Schneider. Motion carried by unanimous voice vote.

Motion to adjourn made by Kendall Schneider. Second by Don Krajeck. Meeting adjourned at 8:49 pm.

TOWN OF UNION BUDGET SUMMARY	Approved Budget 2010	Proposed Budget 2011	% Budget Variation
Expenditures:			
General Government	103,140.38	119,150.43	15.52%
Public Safety	158,670.49	161,313.01	1.67%
Public Works	191,764.25	192,379.74	0.32%
Health & Human Services	400.00	250.00	-37.50%
Culture, Recreation & Education	900.00	875.00	-2.78%
Conservation & Development	15,600.00	18,600.00	19.23%
Other	0.00	0.00	0%
Intergovernmental Revenues Redistribution	53,354.00	36,497.44	-31.59%
Total Budgeted Expenditures	523,829.12	529,065.62	1.00%
Revenues:			
Taxes	34,600.00	39,700.00	14.74%
Intergovernmental Revenues	192,820.20	169,505.71	-12.09%
Licenses & Permits	14,000.00	18,300.00	30.71%
Fines, Forfeits & Penalties	50.00	50.00	0.00%
Public Charges for Services	10,800.00	12,300.00	13.89%
Other	3,445.00	1,945.00	-43.54%
Total Budgeted Revenues	255,715.20	241,800.71	-5.44%
Total Expenditures	523,829.12	529,065.62	1.00%
Balance: Surplus (+) Shortage (-)	-268,113.92	-287,264.91	
Use of Unrestricted Fund Surplus from Previous Year	0.00	25,732.91	
Final Tax Levy	268,113.92	261,532.00	-2.45%