

**TOWN OF UNION  
MONTHLY BOARD MEETING  
Minutes of Thursday, February 3, 2011**

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The Town of Union Board monthly board meeting was called to order by Chairman Kendall Schneider at 7:00 p.m. on Thursday, February 3, 2011 at the Evansville Fire Station, 425 Water St., Evansville, WI. Members in attendance included Chairman Schneider, Supervisors George Franklin and Don Krajeck, Constable Kim Gruebling, Treasurer Sharon Franklin, Clerk Regina Ylvisaker, and Building Inspector Bob Fahey. Plan Commission members Alvin Francis and Dave Pestor were also in attendance. The Pledge of Allegiance was recited.

**Clerk's minutes (January 6, 2011)**

Don Krajeck noted that on page 2, "Paul Forster" should be changed to "Paul Forstrom." Motion to approve minutes of January 6, 2011 as corrected made by Don Krajeck. Second by George Franklin. Motion carried by unanimous voice vote.

**Treasurer's report**

Treasurer Sharon Franklin reported balances as of January 31, 2011:

Local Gov't Investment Pool General Fund	\$ 0.00
Park and Recreation Fund	\$ 12,424.37
UB&T Money Market Sweep Account	\$ 815,312.11
Of Which \$10,494 is A1 Conversion Fees, And \$5,580 is Re-Valuation Fund	
UB&T Checking Account	\$ 15,000.00
Leedlemill Bridge CD	\$ 18,875.23
Wayne Disch Memorial Park Fund	\$ 2,392.87
Morning Ridge Stub Road CD	\$ 20,146.62
Escrow Accounts:	
Robert Janes/Bakers Crossing	\$ 813.77
Teresa Lane	
Bank of Monticello	\$ 2,891.25
Michael Kipp	\$ 963.75

**Constable's report**

Constable Kim Gruebling reported one complaint of two stray dogs that had to be picked up at 10634 N. Long Rd.; in order to get RCHS to pick up the animals Gruebling had to guarantee that the bill would be paid (\$260, half of that returned if the dogs are picked up by their owners).

**Building Inspector's report**

No permits issued in January.

**Public Comment (5 min max per item, no action will be taken on any issues)**

Bob Schumacher, 14025 Hwy 14: stated the City of Evansville won't issue him a permit to make his septic drain field any larger, and he is currently forced to have the septic pumped every month. His only alternative now is to pay \$7,000 to get hooked up to City services. Schumacher stated that there are no alternatives for the septic location, if he could put in a new drainage field the problem would be solved. Kendall Schneider stated someone from the Town will contact him with alternatives.

**Roadwork**

There were at least 5-6 pieces of equipment out working on the roads yesterday during the blizzard, Worthington Tractor Parts and Marshall Brothers helped open some roads. Supervisor Franklin helped open some driveway ends. All Town roads were open by 10 pm yesterday, but there is still more work to be done. County M and County C were both closed for some time yesterday.

### **Approval of 2011 Rock County Humane Society Contract**

The issue remains on the agenda as it has not been resolved. Schneider and Franklin went to the Rock County WTA unit meeting and the Rock County Sheriff's Department was in attendance to discuss the contract. Reportedly three quarters of the Towns have not yet signed the contract, and the Board feels there is no reason to sign it at this point. Gruebling asked if the Board had talked to RCHS yet regarding our specific concerns; Schneider stated that three members of the Rock County Unit have been working with RCHS on the contract but have not come to an agreement. Don Krajeck suggested establishing an escrow account with RCHS since there is no contract in place at this time, this may help RCHS feel more confident that they would receive reimbursement for pickups.

Motion directing Kim Gruebling to meet with RCHS regarding issues over control of authorization of pickups made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

### **Board Action: Approval of Costs Associated with Installation of Accessible Opener at Fire Station**

The issue at hand is that the Fire Department was built to code and an accessible door opener was not required. However, there have been requests from residents to install an opener to make the building more handicap accessible. Schneider reported there has been discussion at the Fire Board meetings about what the charges to the Town should be for using the building; currently any charges would go into the fire fighter association fund which is used for extra equipment purchases. A door opener was on their list of equipment to purchase. Not included in the bid price is the cost to run 120v power to the door to operate the opener. Franklin would agree to installing the opener if the cost was put toward the Town's rent costs for the space. Schneider will bring the issue to the Fire Board and will have an answer for the next Town Board meeting. Motion to table the issue until the March 3, 2011 Town Board meeting made by George Franklin. Second by Don Krajeck. Motion carried by unanimous voice vote.

### **Status Update on Legal Proceedings in the Following Matters: Gildner Property/Removal of Second Home; Non-Licensed Mobile Home Parks; ATV Use and Damage to Town Property. The Board will confer with legal counsel who will render advice (orally or in writing) about litigation strategy in these matters\*\***

Cindy and Jim Brzezinski were in attendance representing Birchwood. They presented the Board with a map which Franklin had previously reviewed and felt was sufficient to meet the Town's requirements. Clerk Ylvisaker distributed copies of the mobile home section of the zoning ordinance to the Board for review. The Board reviewed the map and the ordinance requirements against the map.

Motion to approve the map provided by the Brzezinskis for Birchwood, and issue a 2010-2011 mobile home park license to Birchwood made by George Franklin. Second by Kendall Schneider. Krajeck would like Town legal counsel to review the map to be sure it is acceptable prior to the Board's acceptance of the map and issuance of a license.

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

Jim Schonenberger was in attendance representing Valhalla. He reported that Combs & Associates will be preparing a CSM once it's warmer out and pins can be located. The dumpsters have been removed to deal with the screening issue. Schonenberger reported he didn't have any specs from the Building Inspector regarding dumpster screening so he had them removed to resolve the problem. Schonenberger agreed that he could have a CSM to the Board for review at the April 12, 2011 Board meeting.

Motion to allow Valhalla until April 5, 2011 (7 days prior to April 12, 2011 Board meeting) to provide a CSM to the Board for review, and if the CSM is not received by that date the Town will proceed with taking action to recover attorney costs made by Kendall Schneider. Second by George Franklin.

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

Motion to move into closed session following payment of bills to discuss the Gildner property made by Don Krajeck. Second by George Franklin. Motion carried by unanimous voice vote.

Public comment by Debbie Schneider, thank you to Board and Supervisors for the job they're doing with snow removal. It has been a difficult year for plowing, and the fact that the Town was able to open the roads within 24 hours of snow is great.

**Public Hearing: Adoption of Ordinance 2011-01, An Ordinance to Allow Reimbursement of the Costs of Reviewing Zoning Applications in the Town of Union**

Public hearing opened at 7:50 pm.

Schneider read in the language of the ordinance:

**Section 17.02 GENERAL PROVISIONS**

...  
(7) **Reimbursement.** All costs incurred by the Town relating to processing or reviewing a zoning application, including but not limited to fees for legal, engineering and other professional services, shall be the responsibility of the applicant, who shall timely pay or reimburse the Town for all such costs. The Town may require that all or a portion of the estimated costs of processing or reviewing a zoning application be deposited in advance.

Public hearing closed at 7:53 pm.

Krajeck explained that the purpose of the ordinance is to provide the Town a method to recoup costs associated with zoning applications.

Franklin thinks that since smart growth, costs to rezone and divide property have gotten too high. He believes the Board should be able to sit down with the Building Inspector and property owner to determine what's needed to approve an application. He would like a working meeting to review the fee structure for land divisions and rezones.

Motion to adopt Ordinance No. 2011-01, An Ordinance To Allow Reimbursement Of The Costs Of Reviewing Zoning Applications In The Town Of Union made by Don Krajeck. Second by Kendall Schneider.

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

**Farmland Preservation Update**

Wade Thompson requested a letter of support for Krajeck's application for enrollment in the PACE program. Alvin Francis sees no reason not to issue a letter of support.

Motion to send letter of support for current applicants (Krajecks) for enrollment in the PACE program made by Kendall Schneider. Second by George Franklin.

Roll call vote: Kendall Schneider – yes; George Franklin – no; Don Krajeck - abstain. Motion failed 1-1.

Francis noted that the Plan Commission approved completing a zoning update questionnaire for Rock County at their next meeting. He also received a letter today about a meeting on February 15 at 6 pm on Rock County land division regulations.

**Recycling Center Update**

Jerry Krueger reported problems persist with the office heater. Krajeck got estimates for installing an LP heater, no electricity is required. He requested bids from two companies and to date has only received a

quote from Landmark. Through Landmark, there is a \$125 install fee for the LP tank, and a \$75 charge per year if the Town does not use the contracted amount of LP.

Franklin and Krajeck will pursue the heater issue further.

Krueger will be working on more signage with Josh Wiser. He also reported that businesses within the Town have been coming to the center early in the morning on Saturdays and filling a good portion of the recycling bins with their recycling waste.

### **Pay Bills**

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

Bills were reviewed and approved for payment.

The Board moved into closed session at 8:39 p.m.

Motion to return to open session made by Kendall Schneider. Second by Don Krajeck. Motion carried by unanimous voice vote.

Motion to adjourn made by Don Krajeck. Second by George Franklin. Meeting adjourned at 9:02 pm.

Respectfully submitted by Clerk Regina Ylvisaker

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