

**TOWN OF UNION  
MONTHLY BOARD MEETING  
Minutes of Thursday, October 6, 2011**

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The Town of Union Board monthly board meeting was called to order by Chairman Kendall Schneider at 7:05 p.m. on Thursday, October 6, 2011 at the Evansville Fire Station, 425 Water St., Evansville, WI. Members in attendance included Chairman Schneider, Supervisors George Franklin and Kim Gruebling, Building Inspector Bob Fahey, and Clerk Regina Ylvisaker. Constable Eric Larsen was absent. The Pledge of Allegiance was recited.

Motion to approve agenda as posted made by Schneider/Gruebling. Motion carried by unanimous voice vote.

**Clerk's Minutes (September 1, 2011)**

Motion to approve minutes of the September 1, 2011 meeting as written made by Gruebling/Schneider. Motion carried by unanimous voice vote.

**Treasurer's report**

Treasurer Sharon Franklin reported balances as of September 30, 2011:

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,434.91
UB&T Money Market Sweep Account	\$	10,158.33
UB&T Checking Account	\$	15,000.00
Leedlemill Bridge CD	\$	19,158.19
Wayne Disch Memorial Park Fund	\$	2,537.02
Morning Ridge Stub Road CD	\$	20,352.56
Escrow Accounts:		
Robert Janes/Bakers Crossing	\$	813.77
Teresa Lane		
Bank of Monticello	\$	2,891.25
Michael Kipp	\$	963.75

Franklin noted that the Leedle Mill Bridge CD matures on October 8, 2011. Agreed by all to move the CD funds into the checking account so they are available for paying roadwork bills received related to the bridge.

**Scheduling of Special Board Budget Meeting**

Special Budget Meeting scheduled for Tuesday, October 11 at 6:30 p.m. at the home of George and Sharon Franklin.

**Board Action: Budget Line Adjustments if Required**

None required.

**Constable's report**

Constable Eric Larsen was not in attendance but reported via email that no calls were received during the month of September.

**Building Inspector's report**

Building Inspector Bob Fahey reported the following permits issued during September:

Date	Permit #	Name	Address	Description	Construction Cost
8/31/2011	11-17-B	Doug & Terri Williams	9006 N Evansville/Brooklyn Rd	Addition & remodeling of home	\$ 68,000.00

9/2/2011	11-18-B	Laura Meixelsperger	18347 W Emery Rd	Wiring of exhaust fan	\$ 600.00
9/9/2011	11-19-B	Richard & Amy Hasseman	11112 N Union Rd	Redoing existing deck	\$ 600.00
9/14/2011	11-20-B	Dennis Midthun	13845 W Bullard Rd	Replace existing Porch	\$ 1,100.00
9/14/2011	11-21-B	Double D Builders/ Jeremiah & Erika Young	6538 S 6th St	New Home (2)	\$ 382,000.00
9/14/2011	11-4-D	Double D Builders/ Jeremiah & Erika Young	6538 S 6th St	Driveway for new home	

**Report from Rock Co. RE: Implementation of Rock Co. Land Division Ordinance Updates**

Wade Thompson was in attendance from the Rock County Planning & Development Agency to discuss changes to the county land division ordinance.

Previously the county only reviewed land divisions 15 acres and under; now they will review all land divisions regardless of size.

The County will, upon request of municipalities, enter into voluntary Memorandums of Agreement with towns to assist in the protection of agricultural, natural and cultural resources. Such MOAs could allow the County to administer and enforce standards for road design/construction, resource protection, building permit issuance, and any other activities the Town desires. The MOAs are entered into strictly on a voluntary basis with the Towns.

Thompson clarified that if the Town's land division ordinance is more restrictive than the County ordinance, it would supersede the County's ordinance.

Schneider noted that the Town currently utilizes its own Town Engineer, and a large reason it does so is problems in the past with roads engineered by the County for the Town such as Travis Trace Road, which was not completed properly. Schneider feels, and the Board agreed, that local control is important in many instances. Thompson stated that requiring a site visit as part of land division reviews could be included in an MOA if desired by the Town to address any concerns. County engineering services would be free to the Town, as the costs would be taken care of by the developer. The County ordinance will apply whether an MOA is entered into or not; the purpose of the MOA is to offer additional services to the Town above and beyond the ordinance.

Thompson offered to supply a sample MOA and attend a future meeting to discuss the issue further with the Board once they have had an opportunity to review the sample.

Renee Exum asked what would happen if the Town's Plan Commission approved a land division and the County denied it. Thompson noted that each entity has the right to approve or deny any application even at this time, but the Town reviews all applications first.

Bob Fahey asked for clarification that from this point forward all land divisions will go through County; this is correct per Thompson. He further stated that only 4 towns within the county, Union being one of them, have their own land division ordinance. For the Towns with no land division ordinance, land divisions over 15 acres were being done with no oversight at all, by either the Town or County. George Franklin doesn't think that the Town needs another entity involved in the process. Thompson clarified that the idea of reviewing all divisions is in the County ordinance; the MOAs offer additional services above and beyond the reviews outlined in the ordinance.

Schneider wondered if protecting scenic view sheds could be enforced by the County; it is not currently in the County ordinance. Schneider also asked if the County would be issuing antenna permits; Thompson stated that they don't have zoning authority and therefore don't have the ability to do so, the authority lies with the Town.

Thompson stated that the County ordinance will become effective January 1, 2012.

Schneider requested a sample MOA for discussion at the November Board meeting; Thompson will send the info to Regina Ylvisaker for distribution. November Board meeting is scheduled for November 10.

### **Leedle Mill Road Bridge Update**

The deck has been poured; waiting to finish railings until deck is done. The project will likely be done by the end of the month; there was a delay as two main piers had to be relocated to the east as there was substantial cement work found in the creek that was not moveable.

### **Roadwork**

Shouldering has been done on N. East Union Road.

Franklin reported the small truck needs a new blade; Evansville Coop quoted \$364, Burke Truck Equipment quoted \$420. An option would be to purchase a carbide blade for \$700, which would require fitting to the truck at an additional cost of \$300. The carbide blade may last the life of the truck, as it has a 3-4 times longer life expectancy than regular blades. The truck also needs a new rubber insert in the plow pivot point, which could be replaced with either rubber or metal. All work could be completed for approximately \$1,000.

Motion to approve purchase of carbide blade from Burke Truck Equipment, installation of blade, and installation of new insert in plow for a total of \$1,000 made by Franklin/Gruebling. Motion carried by unanimous voice vote.

Josh Wisner reported that the truck also needs filters. He obtained quotes from NAPA and D&B Filters. NAPA filters would need to be special ordered and are not available until early November, whereas the filters from D&B Filters are available right now. Schneider feels the filters are regular maintenance and the purchase of such can be approved solely by Franklin as needed.

Franklin reported some people have volunteered to clear trees out of ditches. There are still trees down on Holt Road, N. Union Road, Murray Road. Schneider would like to burn some ditches on problematic east-west roads such as Holt prior to winter to help avoid drifting.

### **Recycling Center Update**

Jerry Krueger reported a quiet month. Franklin has been up to take care of the water pockets in the gravel.

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

Renee Exum asked what the Board's plan would be for posting for the new concealed carry law. Schneider reported he had discussed posting at the Station with some fire fighters. He will add the item to the agenda for the Fire District meeting.

Gruebling noted that the website does not reflect updates to change in Supervisor and Constable. Ylvisaker will check that changes are made.

### **Public Hearing: Review and Action on Extension of Ordinance 2011-03, An Ordinance to Impose a Temporary Stay on Construction of Towers and Antennas in the Town of Union {The Current Moratorium Expires on October 12, 2011}**

The Plan Commission recommended extending the stay until February 12, 2012 at their September 29 meeting.

The Plan Commission projected having a final draft of the ordinance done at their November 17 meeting, with public hearings held at the January Plan Commission meeting and February Board meeting.

Schneider thinks that the Board should take the recommendation of the Plan Commission and extend the stay until February 12, 2012.

Public hearing opened at 8:00 p.m.

Cathy Bembinster feels that the Plan Commission has worked very hard on the development of the ordinance thus far, and has other issues on its agendas as well. Many nights it has been 9 p.m. before the Commission has been able to begin working on the ordinance. They have taken many public comments into consideration and have reviewed a great deal of information. Bembinster feels the stay should be extended.

Exum also is in favor of the extension, and wants to be sure that the final draft of the ordinance is legally defensible. She also noted that the Town's Comp Plan discusses providing telecommunications services to its residents but does not provide a date.

Public hearing closed at 8:04 p.m.

Motion to accept the Plan Commission's recommendation to extend the temporary stay on construction of towers and antennas in the Town until February 12, 2012 made by Schneider/Franklin.

Franklin wonders if there is a need to be so detailed in the process of approving towers and antennas. Schneider felt the main goal is having an ordinance that will protect the residents, and lighting is an important issue to address. The lighting is directly related to the height of the tower and therefore the reasons for setbacks, etc must be defensible in the ordinance. The ordinance has to be in place to accomplish what we need to for the Town.

Gruebling noted that prior to his time on the Board, a tower was approved with a smaller setback than is recommended in the current draft ordinance and has established past practice. Also feels that attorney review of the ordinance prior to adoption is vital. Gruebling would like the ordinance to be done as soon as possible but feels that February 12 is reasonable.

Roll call:

Kendall Schneider – Yes; George Franklin – Yes; Kim Gruebling – Yes. Motion carried 3-0.

**Board Action: Review and Approval of Plan Commission Requests for 1) Attorney Review of Tower & Antenna Ordinance, 2) Attorney Response to Related Questions from Plan Commission, and 3) Attorney Attendance at Plan Commission Meeting**

The Plan Commission request from their September 29 meeting is as follows:

*“Motion to request that the Town Board provide the Plan Commission the opportunity to discuss questions (attachment A) and draft ordinance with legal counsel, as well as allowing the Town Engineer to review and comment on the latest draft of ordinance made by Zweizig/Larsen.*

*Amend motion to clarify that the request is specifically to have legal counsel and the Town Engineer present at the next Plan Commission meeting, and to request that both parties receive the questions and draft ordinance prior to the next Plan Commission meeting. Motion carried by unanimous voice vote.”*

Gruebling would like the Board to address attendance of the attorney and engineer in separate motions.

Motion to approve request from Plan Commission for extra services of the attorney made by Schneider. Motion failed for lack of second. More clarification is needed.

Motion to approve Town attorney presence at the October Plan Commission meeting, and approve forwarding the list of questions and draft ordinance prepared by the Commission to the attorney in advance of the meeting to allow him to prepare and address both the questions and the ordinance draft at the October meeting made by Gruebling/Schneider.

Franklin asked if the ordinance is done; Schneider explained that it is close to being complete but there are questions that the attorney must answer before it can be finalized. Exum stated that they are very close to being done and know what their policies would be but the structure needs to be worked out with attorney assistance.

Motion carried 2-1, with Franklin casting the dissenting vote.

Regarding the request for Town engineer attendance at the October Plan Commission meeting, Gruebling stated that the engineer has attended 3 meetings already and he does not feel there is any value in rehashing the same issues.

Motion to deny town engineer attendance at the October Plan Commission meeting made by Gruebling/Franklin. Motion carried by unanimous voice vote.

**Board Action: Review and Approval of 2012-13 Contract with Rock County for Statewide Voter Registration System**

Ylvisaker explained that the contract allows for the County to provide election and voter registration services to the Town; the fees have not increased since 2006.

Motion to approve the 2012-13 Contract with Rock County for Statewide Voter Registration System made by Schneider/Gruebling. Motion carried by unanimous voice vote.

**Discussion: Public Notice and Posting Changes**

It was agreed to change the posting location from the Evansville Review to the Town Recycling Center. Wisner will make a kiosk for posting to be installed at the end of the Center's driveway so it is available to residents at all times, even when the Center is closed.

**Pay Bills**

There being no further business to come before the Board, a motion to adjourn and pay bills was made by Gruebling/Schneider. Motion carried by unanimous voice vote.

Respectfully submitted by Clerk Regina Ylvisaker

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