

**TOWN OF UNION
MONTHLY BOARD MEETING
Minutes of Thursday, December 1, 2011**

The Town of Union monthly board meeting was called to order by Chairman Kendall Schneider at 7:00 p.m. on Thursday, December 1, 2011 at the Evansville Fire Station, 425 Water St., Evansville, WI. Members in attendance included Chairman Schneider, Supervisors George Franklin and Kim Gruebling, Treasurer Sharon Franklin, Clerk Regina Ylvisaker, Constable Eric Larsen, and Building Inspector Bob Fahey. The Pledge of Allegiance was recited.

It was agreed by the Board to move item 17 immediately following public comment, and to move item 14 for inclusion with the Constable's report.

Clerk's minutes (November 10, 2011)

Kim Gruebling requested the following change to page 8 of the minutes, regarding Dane County Humane Society:

Larsen inquired if the Town has to contract with the humane society in Rock County, or if it could contract with another county such as Green or Dane. Gruebling had spoken to Dane County Humane Society in the past, and at that time they ~~were not interested in contracting with other counties and~~ would not pick up animals.

Motion to approve as amended by Gruebling/Franklin. Motion carried by unanimous voice vote. Minutes of November 10, 2011 approved as amended.

Treasurer's report

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

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,438.65
UB&T Money Market Sweep Account	\$	43,309.06
UB&T Checking Account	\$	15,000.00
Wayne Disch Memorial Park Fund	\$	2,537.65
Morning Ridge Stub Road CD	\$	20,352.56
Escrow Accounts:		
Robert Janes/Bakers Crossing	\$	813.77
Teresa Lane		
Bank of Monticello	\$	1,209.31
Michael Kipp	\$	403.10

Board Action: Budget Line Adjustments if Required

Deferred until January meeting.

Board Action: Morning Ridge CD

Sharon Franklin reported that the CD matures on December 23, 2011.

Motion to renew Morning Ridge CD at the best interest rate available, for a term not over 5 years, made by Schneider/Franklin.

Franklin questioned if the road for which the money was set aside would ever go in; Schneider stated it is possible that it could be built at any time in the future; however until that occurs, the funds have been allocated for that purpose and cannot be used for any other purpose.

Motion carried by unanimous voice vote.

Constable's report

Constable Eric Larsen reported receiving no calls during November 2011.

Regarding the RCHS contract issue, Gruebling reported that the contract with Chesterfield will not happen as the owner of the kennel has decided it was not a good idea to place strays with kenneled dogs.

Gruebling also reported that Janesville and Beloit have been working on possible options, and per Evansville Police Chief McElroy, Evansville will probably sign a contract with RCHS again for 2012.

Gruebling stated the Town is required to keep dogs for seven days, and there has recently been a court case in Texas regarding value of dogs which could be cited in Wisconsin. Gruebling reluctantly recommended signing the contract with RCHS for 2012. There have been only a few dogs called in to the Constable during 2011; the bill this month from RCHS is for animals that residents have turned in, not calls the constable has received.

Rock County Sheriff's Deputy in attendance stated he could request that his supervisor call our Constable when they receive dog calls prior to taking them into the RCHS. Agreed by all this was a good approach; Larsen will provide the Deputy with contact information.

Motion to authorize Constable Eric Larsen to sign the 2012 contract with the Rock County Humane Society made by Gruebling/Schneider. Motion carried by unanimous voice vote.

Franklin noted that at the recent Towns Association meeting, it was stated that Janesville & Beloit signed a contract with RCHS last year, but none of the Towns were given the opportunity to sign the same contract.

Gruebling asked if the Board wanted anyone to attend the meeting on December 8 to find out if there is anything the Town can do in the future regarding this issue. Franklin has been told that there is no point in talking to the RCHS; Gruebling pointed out that the workers at the RCHS are great but it's the administration/board of directors that are non-responsive. Gruebling will attend the meeting.

Building Inspector's report

Building Inspector Bob Fahey reported issuing 5 permits during November:

Date	Permit #	Parcel #	Name	Address	Description	Construction Cost	Permit Fee
11/9/2011	11-25-B	6-20-265.1	Coret Grosz	17237 W Croft Rd	Addition to detached garage	\$ 2,500.00	\$ 120.00
11/9/2011	11-26-B	6-20-113.1	Gary Messinger	14534 W Bullard Rd	12x20 loafing shed	\$ 2,300.00	\$ 60.00
11/15/2011	11-27-B	6-20-92.1	David Aaberg/Dunkirk Electric	14449 W East Union Rd	Electric service	\$ 1,000.00	\$ 60.00
11/23/2011	11-28-B	6-20-70.2B	Duane & Susie Berg/Kool View Sun Rooms	16033 W Union Rd	13x8 Sun room	\$ 35,000.00	\$ 230.00
11/25/2011	11-29-B	6-20-176.1	Don Lorenz	8441 N Hwy 14 Lot 4 Birchwood Trailer Park	140 Sq Ft Shed (12x11.5)	\$ 1,000.00	\$ 120.00

Recycling Center Update

Jerry Krueger reported vandalism had occurred at the Center a couple weekends ago, between the time the Center closed on Saturday and Monday morning. Individuals tore up the gravel parking lot, broke glass in the lot, threw glass against office, got into office, and destroyed the first aid kit. Franklin came out and helped clean up. It appears the individuals also entered the old office building through the back window and one flashing light is gone, a sign is missing (Badfish Creek sign). The remaining Badfish Creek sign has been installed.

Krueger noted that the Center needs its fire extinguisher recharged, he is unsure if it should be recharged or if a new one should be purchased. Fahey confirmed that Dick Noble at the Fire Station can take it to be recharged.

Public Comment

Rock County Sheriff's Deputy was in attendance to see if there are any public concerns/issues that the Sheriff's Department can address. He noted that the Department now has portable scales for weighing trucks. Schneider stated that there have been concerns about road damage given the cost of road repair, and this should be helpful in taking care of these concerns. Schneider has noticed trucks coming from a farm on Amidon Road and cutting across Evansville-Brooklyn and Bullard Roads to access Highway 14. Schneider also reported problems with a gas company out of Belleville in the past cutting across the same roads. The Deputy reported that Department staff are currently attending training on the new portable scales, and that anyone can call in an overweight truck to the Rock County non – emergency number and officers will try to reach the driver. Providing any information such as the license plate number and trucking company name is helpful when making such a call.

Gruebling asked that Deputies monitor the recycling center on Saturday nights if possible.

Larsen reported that part of the outcome of the last Plan Commission meeting was AT&T providing a three year plan for towers within the Town from all providers, not just AT&T. Representative Shane Begley has offered to contact all other providers and put together the plan for the Commission's review. Larsen has contacted Jim Brooks to invite him to the next Plan Commission meeting, as the issue involves the City as well.

Rick Weidersen, Rock County Health Department, was in attendance to discuss water well safety and testing. He reported that the Health Department can be resource for well testing and related information, and the County has a lab on site. It is recommended to have your well tested annually. He reported that 25-30% of wells they test are high for nitrates, and land within the Town of Union does have nitrate issues. The Department also provides info on well construction. The Department tests public facilities of a certain size; Union Tavern is one such facility they test, and their water does have nitrates over recommended level but is not unusable. The Tavern is required to post the results on site. Mobile home parks are tested yearly as part of their licensing requirements. Water tests for individuals are \$22 each, and two separate tests are performed. Tests are performed on Tuesdays and Thursdays, results are available within two days. All testing is done in house except fee-exempt testing, which is done at the State Lab of Hygiene in Madison as they do more tests on the samples; it also takes longer, 2-3 weeks to receive results.

Information provided by Weidersen, along with test kits, will be made available at the Recycling Center for interested residents.

Board Action: Town Acceptance of Teresa Lane as Public Road

Town Engineer Greg Hofmeister recommends accepting the road, and that as a condition of acceptance the whole road be warranted for one year and that further investigation and repair

be undertaken on the area in the vicinity of core sample #3. After repair Hofmeister recommends the area repaired be warranted for an additional year.

Attorney Matt Dregne had asked via email who would warranty the road; Schneider stated the Bank of Monticello and the Kipps should be responsible for the warranty, as they are the property owners. Gruebling would like to see the guarantee in writing. Michael Kipp will talk to the Bank to discuss the warranty.

Motion to accept Teresa Lane as a Town Road provided the recommendations from Town Engineer Greg Hofmeister are met, and contingent upon receipt of a written warranty from the Bank of Monticello/Kipps, made by Schneider/Franklin.

Gruebling would like to see something in writing regarding the guarantee prior to accepting the road. Schneider would like to have acceptance of the road approved contingent upon receipt of written warranty. Kipp asked if a statement from the property owners warranting the road would be acceptable; the Board agreed it would, and it should come to the Clerk who will bring it to the Board for review. Kipp stated that the repair patch in the road noted by Hofmeister was due to the company doing the skirting damaging the road in the fall, and the repair was done the following spring. He believes they cut in to the road to perform the repair.

Roll call: Kendall – Yes, George – Yes, Kim – Present (abstain). Motion carried 2-0.

Road Work/Snowplowing

Franklin and Josh Wisner talked to Al Miller, who stated he will not be getting sand this year. They did request a smaller chip size, but are unsure if the Town will get it this year. The request for sand was likely made too late this year for Miller to act on it. Miller has been notified that Leedle Mill Bridge is open. The plowing sequence will stay the same. Franklin reported that he discussed with Miller having Wisner help to plow roads outside of the subdivisions if he is done and they need help; this is ok with Miller.

Schneider reported discussing guard rails for Leedle Mill Bridge with the engineers for the bridge; without delineators or chevrons it is hard to see the sides of the bridge and approach at night. One night arrow has been installed by Wisner.

Wisner should have a hi-vis winter coat or jacket; Franklin can approve this purchase without Board review.

Franklin will get firm numbers on an end loader and a 5 year purchase price. He also feels it is time for the Town to get serious about obtaining land and building a building to store the equipment in.

Board Action: Meeting Notice Publication

The Board felt the most current version of publishing the meeting notice and agenda was sufficient and approved Clerk Ylvisaker to continue publishing and posting in this manner.

575-0197

Board Action: Plan Commission request that the Town Board authorize up to 20 hours of additional legal services, to be used in (1) revising the ordinance to reflect the modifications decided upon at the 11/17 meeting (about 6 hours), and (2) attending two additional Plan Commission meetings to work on and complete the ordinance.

Schneider feels this is necessary to complete the tower ordinance. Gruebling thinks that the licensing ordinance portion is not necessary and not authorized by the Board. He questioned whether the Town should be licensing transmitters. Larsen noted that the Plan Commission is removing the licensing of transmitters from the ordinance.

Larsen recapped the last Plan Commission meeting: Begley and AT& T stated they could provide a three year plan for putting up towers and achieving coverage in the area, which would allow the Town to plan accordingly. Begley noted that making it harder to site towers over 199' would result in more towers in the Town, but the Commission was aware of this and noted that the trade off would be no lights on any towers.

Franklin stated that two or three sample ordinances were reviewed prior to development of the draft ordinance, and he doesn't know why parts of those ordinances couldn't have been taken and placed into a new document which could have been reviewed by the attorney. Franklin does not agree with additional money being spent on this issue. Gruebling also has reservations about spending additional money. Schneider noted that adding in recovery of fees for developing the ordinance from applicants has been suggested as an addition to the ordinance, similar to what has been written into the wind licensing ordinance. Gruebling stated this recovery method is untested and should not be assumed as a cost recovery method, and also feels that spending money on ordinances instead of roadwork is not good practice.

Gruebling questioned the need for the attorney to attend two Commission meetings; he feels that attending one would be sufficient. He also noted the ordinance from Dane County that governs the same issues runs just 3 ½ pages long, and feels it addresses everything that the Town would want to address.

Motion to authorize up to 15 hours of additional Attorney time to be utilized for the completion of the tower and antenna ordinance made by Gruebling/Schneider.

Roll call: Kendall Schneider - yes, George Franklin - no, Kim Gruebling - yes. Motion carried 2-1.

Discussion: Rock County Planning Dept. MOUs

Gruebling thinks that a sub-committee to work with the County/Thompson to achieve the document that preserves the services the Town would like to continue with the County is a good approach. He has reviewed the sample MOU and believes it could be shortened significantly and leave out roads, building permitting, etc. Gruebling is willing to meet with Thompson but thinks Schneider would be a better representative. Schneider will see if Thompson is available next Tuesday, December 6 as he will be in Janesville for another meeting. Franklin thinks that involving the County in more of our issues is unnecessary.

Board Action: Rock County Humane Society Stray Animal Contract 2012/Chesterfield Kennels Contract

Addressed with Constable's Report

Board Action: Approval of 2012 Election Machine Maintenance Contract

Motion to approve 2012 Election Machine Maintenance Contract made by Schneider/Gruebling. Motion carried by unanimous voice vote.

Board Action: Approval of Evansville EMS 2012 Contract

Schneider explained that normally the Fire Department creates a preliminary budget that is sent out to all municipalities in early fall. Info from EMS came to him just prior to the last Board meeting and he hadn't opened it before the meeting. The 2012 contract is \$21 per capita, a 5%

increase. Gruebling doesn't think that the increase is large enough to consider dropping the service, and questioned how long the per capita has been \$20 per year; Schneider believes 3 years. Gruebling thinks the increase is minimal – \$1,500-\$1,800 – and not something to argue about. Schneider noted that a run is \$450 per call for basic service, and intercepts cost more as recipients are charged by Madison as well.

Schneider states one option would be to change the district size, or to do a 2 or 3 month contract with Evansville EMS while options are being explored. Gruebling questions where service would come from if not Evansville. Schneider suggested Edgerton. Gruebling is not willing to put people's lives in jeopardy for \$1 per capita increase.

Fahey thinks that an EMS district for the Towns would make sense in the future.

Motion to approve contract as presented, at a cost of \$21 per capita, with ability to make three payments during the year, or best possible payment terms made by Gruebling/Franklin.

Roll call: Kendall Schneider - no, George Franklin - yes, Kim Gruebling - yes. Motion carried 2-1.

Ylvisaker will add discussion of a combined fire/EMS district to the January Board agenda.

Board Action: Town Acceptance of Teresa Lane as Public Road

Addressed earlier in the meeting.

Board Action: Appointment of Pollworkers 2012-2013

A list of pollworkers and Chief Inspectors was provided to the Board for consideration by Ylvisaker. Motion to approve list as presented made by Schneider/Franklin. Motion carried by unanimous voice vote.

Discussion/Action: Meeting Coverage During Clerk Maternity Leave

Ylvisaker reported that Cathy Bembinster has offered to take minutes at the meetings which Ylvisaker will not be in attendance at. Approved by Board. Ylvisaker will provide an official oath appointing Bembinster deputy clerk for her to sign.

Pay Bills

There being no further business to come before the Board, a motion to adjourn and pay bills was made by Gruebling/Franklin. Motion carried by unanimous voice vote. Meeting adjourned at 9:07 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.