

**TOWN OF UNION
MONTHLY BOARD MEETING
Minutes of Thursday, September 6, 2012**

The Town of Union monthly board meeting was called to order by Chairman Kendall Schneider at 7:00 p.m. on Thursday, September 6, 2012 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, and Clerk Regina Ylvisaker. The Pledge of Allegiance was recited.

Clerk's Minutes (August 2, 2012)

Motion to approve the minutes of the August 2, 2012 meeting as written by Gruebling/Franklin

Treasurer's report

Treasurer Sharon Franklin reported the following balances as of August 30, 2012:

Local Gov't Investment Pool General Fund	\$	0.00
Park and Recreation Fund	\$	12,453.73
UB&T Money Market Sweep Account	\$	117,274.58
UB&T Checking Account	\$	15,000.00
Wayne Disch Memorial Park Fund	\$	2,726.42
Morning Ridge Stub Road CD	\$	20,633.91
Escrow Accounts:		
Robert Janes/Bakers Crossing	\$	813.77
Teresa Lane:		
Bank of Monticello	\$	1,160.94
Michael Kipp	\$	386.97
Mastec, LLC	\$	7,000.00

Board Action: Budget Line Adjustments if Required

None required.

Constable's report

Constable Eric Larsen reported that he had received one call, which was resolved by the Sheriff's Department before he took any action. The owner was located.

Building Inspector's report

Building Inspector Bob Fahey reported the following permit issued during August:

Date	Permit #	Parcel #	Name	Address	Description	Permit Fee \$
8/14/2012	12-22-B	6-20-290.0A	Dale & Cheryl Thomas	6832 N Francis Rd	Deck addition	\$ 120.00

Recycling Center Update/Improvements

Jerry Krueger had nothing unusual to report. Sharon Franklin reported that additional refuse tickets are needed. She suggested changing the cards to include only 10 punches per card, which would bring the price when using the cards up to \$1.50 per bag. Currently the cash price is \$1.75 per bag.

Motion to make change to refuse tickets, thereby increasing per bag price to \$1.50 per bag, made by Gruebling/Schneider. Motion carried by unanimous voice vote.

Follow Up Reports

Franklin and Gruebling reported on their meeting with Rock County, specifically Gordy Byerline, regarding outstanding bills. Gruebling stated that the County's arguments made sense with regard to the billing. He noted that the bills did include a credit for the culverts. The total amount owed, including Leedle Mill Bridge work, is \$64,081.01. Regarding the record keeping fee for Leedle Mill Bridge, Gruebling stated that there is a DOT policy that addresses the issue and he thinks that fighting it would be a losing battle. Schneider stated that the Town kept the records for Territorial Road

and the Town could do the same for Leedle Mill Bridge. Franklin explained that by making the initial decision to have the County handle it, they were automatically designated as record keepers. Franklin shared with the Board a copy of the bill that the County receives from the State, which is also very vague. Both Franklin and Gruebling felt that the outstanding amount of \$64,084.01 should be paid and motion was made as such by Gruebling/Franklin. Motion carried by unanimous voice vote.

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

Doug Lee reviewed the minutes from last month's meeting, and noted that under "Roadwork" there was a section which stated that ditches would be cleaned up along right of ways. Lee wanted clarification regarding who would be paying for the cleanup. Schneider stated that the Town would be paying for it, as the Town is responsible for maintenance of the right of ways. Lee asked if the Town still does not have the ability to charge landowners for clean up of their land. Schneider explained the history of the issue and why it is the way it is today. Lee's main concern was that taxes not be raised on the landowners who do take care of their property to cover costs associated with those who do not take care of it.

Roadwork

Franklin reported that a mower was rented and the entire Town was mowed, in some places making two passes. Under 40 hours was put on the machine. Franklin noted that many land owners mow all the way back to their fields and he appreciates their efforts. For many years there was no money to take care of roadside mowing so things got out of hand. Lee feels that owners should take care of their land out to the roadside, whether it is the right of way or not. Franklin would like to purchase the mower but feels the price is prohibitive: \$51,000.

Leedle Mill Road has been ground up and will be seal coated either Monday or Tuesday. The Town of Porter will receive the bill and bill Union, 80% Porter and 20% Union (approx).

Franklin was wondering if the Town would like to put a V-blade on the end loader; he has heard that there may be a lot of snow this year. He has not yet priced out a blade, but will do so.

Franklin and Wisner will meet with Footville Trucking on Monday about the snowplowing contract, which includes roadside mowing. Franklin would like the Town to do its own mowing if a mower could be rented again.

Wisner stated that Footville Trucking would like to use the smaller chips when salting subdivisions, and larger chips for straight roads and main roads.

Gruebling would like to further discuss the snowplowing policy at the October meeting.

Lee would like the Board to discuss the issue of hiring for work such as brush cutting again. Gruebling agrees that there needs to be a policy in place to address the issue, including a method of hiring, because the individuals doing the work are receiving public funds. The Town needs to ensure that the individuals have required training, drivers license, etc. Lee recommends contacting a transportation lawyer to review the Town's policies, procedures, etc to be sure that it is fully covered. Lee will provide recommendations of lawyers to contact to Gruebling.

Public Hearing: Amendments to Telecommunications Tower, Antenna, and Facilities Siting Ordinance

Public hearing opened at 7:52 p.m.

Cathy Bembinster read in a statement:

A Final Ordinance was released to the public by Regina. In the email Regina asked the board to look it over and let her know if there were any changes. A revision was not made.

There was a public hearing on the Final Ordinance that released to the public. Alvin, Eric, Renee and I made comments. The representatives from AT&T did not.

The public hearing was closed.

The Town Board discussed comments made by the public.

Regina said she had some minor typos that Jim from AT&T had submitted.

Kendall was reviewing the list of typos from a paper copy.

Jim from AT&T came up to the board's table pointing out things to the board that he had submitted after the public hearing **was closed**.

Somewhere during that exchange with the AT&T representative, a change was made to the final ordinance to take out this important paragraph on Page 8. Under **(2) Information Required Prior to Permit Being Issued**, lines 491-496:

f) For all devices to be installed on the proposed Tower, copies of approvals from the FCC, and evidence satisfactory to the Town that all devices to be located on the tower, individually and collectively, will comply with the limits of radio frequency emissions standards set by the FCC. The evidence shall include the particular FCC Measured Permitted Emission (MPE) limit and the tested or design limit for the proposed facility.

All we heard was Kim say yes I guess we decided to take that out.

Lines 491-496 were not pulled out by the board. They were in the draft from 07-09-12. These lines were also left intact by the consultant's review, which then stayed intact in the Final Ordinance.

The consultant had suggested removing lines 442-447 under **(1) Submittal Information**,

442 (i) Copies of approvals from the FCC and a statement that all antennas and
443 other devices on the site, individually and collectively, comply with the
444 limits of radio frequency emissions and other regulations and standards set

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445 by the FCC. The statement shall list the particular FCC Measured
446 Permitted Emissions (MPE) limit and the tested or design limit for the
447 proposed telecommunication facility.
448 (j) A map drawn to scale of the proposed site.
449 (3) Approval of the conditional use permit is subject to the Town

Comment [319]: Delete and replace with: "A statement that the site complies with FCC OET bulletin 65."

and replace with:

(i) A statement that the site complies with FCC OET bulletin 65.

That was correctly done by Regina in the Final Ordinance.

Bembinster does not feel that the statements are the same (Section 8 (1) (i) and 8 (2) (f)). She stated it does not make sense that a statement of compliance would be accepted from the individual that is being regulated, and to request something at the first of the year that the applicants weren't required to provide initially is also out of line. She believes the ordinance should stay intact with no changes to Section 8 (2) (f).

Schneider stated that the typos make sense and should be changed, but procedurally it was not handled properly at the last meeting. Bembinster feels the ordinance should remain as is without the suggested changes from AT&T. Gruebling would like to contact Evans Associates about the deletion issue, but agreed that the typos should be corrected at the meeting tonight.

Public hearing closed at 8:08 pm.

The typos to correct include:

- Section 5.00 Conditional Use Application – at the bottom of the first paragraph it reads “a Certificate of Compliance is issued as described in Section 11.00 of this ordinance.” It should be section 8.00.
- Section 5.00 Conditional Use Application – In subsection (1)(i), at the recommendation of Evans and Associates, the language was replaced with the following “A statement that the site complies with FCC OET bulletin 63.” It should read bulletin 65.
- Section 6.00 Removal/Security for Removal – In the last sentence of subsection (2) the word “owner” should be inserted after tower so it reads “...the Town shall assign a new amount which the tower **owner** shall be required to provide.”

Motion to make the changes listed made by Gruebling/Franklin. Motion carried by unanimous voice vote.

Pay Bills

There being no further business to come before the Board, a motion to adjourn and pay bills was made by Schneider/Franklin. Meeting adjourned at 8:09 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.