

Town of Burke Board Meeting Minutes – February 20, 2013

6:00 p.m.

Board members in attendance: Acting Chairman Hess, Supervisor Berg, Supervisor Searls and Supervisor Munson, Chairman Viney (arrived at 6:17 p.m.). Also in attendance: Brenda Ayers, Clerk/Treasurer; Ron Kurt, Public Works Lead; Kim Peterson, Deputy Clerk/Treasurer. See attached list for other interested parties in attendance

1. ADMINISTRATIVE

- a. It was determined that a quorum was present and that the meeting was properly posted.
- b. The meeting was called to order at 6:00 p.m. by acting Chairman Hess.
- c. The Pledge of Allegiance was recited.
- d. Public Hearing on a liquor license application submitted by Seminary Springs Tavern, LLC; Gary LaRue agent, located at 3191 Seminary Springs Road. There were no comments from the public.
- e. Public Hearing regarding a Conditional Use Permit (CUP) submitted by MSA on behalf of Madison Block and Stone for the purpose of mineral extraction and re-grading the property located at 5813 US Hwy 51 (parcel numbers 0810-084-9780-2 and 0810-084-9920-2). Jayme Anderson owner of Madison Block and Stone indicated that he is interested in extracting materials to sell to landscaping customers at his business site. He currently has materials trucked to his site to sell to customers. Linda Meinholz expressed concern about truck traffic on Acker Road and existing stormwater issues. Gerhard Pechmann, Pechmann Memorials, inquired about the affect of the operating hours on customers visiting his business. Hess noted that the only access shown on the application is via Hoepker Road and asked Anderson if he planned to use Acker Road. Anderson replied that he plans to have access on both roads. He further stated that Hoepker was shown on the plan because of the intent to re-grade the drive, not to show ingress and egress. Karl Buschmann expressed his concerns about the affect on the Cherokee Marsh Watershed, bedrock and his private well. (Viney arrived) Anderson reported that the operating hours will be from 6 a.m. to 6 p.m. Monday-Friday and from 9 a.m. to 2:00 pm. on Saturday. Pechmann noted that he is concerned about the dust control as he currently is affected by dust in the area. Pechmann also expressed concerns about the affect of increased traffic on the roads. Anderson responded that he does not feel there will be an increase in traffic since he will no longer be trucking in materials. Steve Olp inquired about the depth of the excavation and grading plan. Anderson noted that he plans to excavate to a depth of 54 feet from the existing ground and at the conclusion of the extraction he will fill the site to the elevations shown on the grading plan. Olp stated that he would like a plan for blasting notices which includes notification to the Town so the neighbors know what to expect. Searls inquired about the blasting hours. Anderson replied that the blasting hours of 8 a.m. to 5 p.m. Monday through Friday are set by the County. Hess noted that per the application, blasting will occur 3-4 times per year. Searls asked about the existing water runoff issues. Anderson said that water pools on Acker Road because of drainage issues on Highway 51. Kurt said that there have been issues with water pooling on Highway 51 which is the County's responsibility. Kurt said he has cleaned out the ditch line in the past. He

also spoke to a neighboring company about semis rutting out the ditch line. Kurt reported that Acker Road receives a lot of commercial traffic from businesses other than Madison Block and Stone. Charlie Meinholz said the majority of the pooling water comes from the Block and Stone property and the water drains fine on Highway 51 if it gets there. Tim Geoghegan, Yahara Materials, said that the applicant needs a more detailed blasting plan to include the closing of Hoepker Road and how to handle delays. Olp inquired about stormwater management. Hess said that the County will address stormwater and whether or not the installation of facilities is required. Joe DeYoung, MSA, stated the line indicating the limits of extraction will be changed to meet County requirements. Searls asked about the safety of the public on the lot when blasting occurs. Anderson said the quarry will be fenced in and they will have proper signage. Hess inquired about the traffic pattern on Acker. Anderson identified the pattern on the map. Viney said he would prefer that the neighbors receive a blasting notice 30 days in advance. Anderson noted that due to the nature of the business it would be difficult to identify a specific day of blasting 30 days in advance. Pechmann inquired about the size of the material storage piles. Anderson said they would be as big as the existing piles. Pechmann stated his concern about the increase in dust during the crushing phase. Olp suggested that the Town require the annual \$2,000 road maintenance fee per road. Charlie Meinholz expressed a concern about his well going dry.

- f. Approval of minutes from the January 16, 2013 Board meeting. Motion: Hess/Munson to approve the minutes as presented. Motion carried.
- g. Public Works report. Kurt reported that the International broke down on Highway 19 due to algae growth in the fuel tank. A significant amount of salt is being used this year and the Sun Prairie salt shed has been restocked. Members of the public noted that during the large snow storm the Town continued to maintain Hoepker hill even after the County quit plowing CV.
- h. Clerk/Treasurer report. Ayers reported that the audit was completed February 11th and 12th. No issues were noted and the report will be issued prior to the annual meeting. The Town had a 7.8 % turnout with 182 voters voting in the Primary on the 19th.
- i. Finance Report. The Profit and Loss Budget vs. Actual report as of January 31, 2013, was included in the packets. Peterson reported that she will email Cash on Hand report for January to the Board after completing the bank reconciliation.
- j. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 25743-25828 and payroll related disbursements number 2581-2614.
- k. Public Concerns: none.

2. NEW BUSINESS

- a. Liquor License Application submitted by Seminary Springs Tavern, LLC, Gary LaRue, Agent. Motion: Searls/Berg to grant a Liquor License to Seminary Springs Tavern, LLC as presented. Motion carried.

- b. Resolution 02202013 Conditionally Approving a Conditional Use Permit (CUP) submitted by MSA on behalf of Madison Block and Stone for the purpose of mineral extraction and re-grading the property located at 5813 US Hwy 51. Berg stated that he is concerned about the water quality in the area and the type of material that will be used to fill the quarry. He would also like to see a more definitive blasting plan. Hess stated that the Board is only considering the granting of the Conditional Use Permit. He further stated that the applicant will still need to adhere to all County, State and Federal Regulations. There is only so much the Town has the power to protect since the County has the enforcement authority. Anderson reported that he will use a professional blasting firm that will follow all guidelines. Motion: Hess/Munson to adopt Resolution 02202013 Conditionally Approving the Conditional Use Permit. Roll call: Berg- nay. Searls- nay. Viney- nay. Hess-aye. Munson-aye. Motion failed. Viney said that additional information is needed to satisfy the concerns presented at the meeting. Viney noted that he would like Anderson to develop a plan for notifying the neighbors and Town office of the blasting. Berg noted that he was concerned about water runoff and potential damage to homes. Searls noted he was concerned about water runoff and dust control. Berg also suggested that the applicant develop a more specific blasting plan.
- c. Renewal of the mowing contract. A contract for 2014-2019 with CJs Lawn and Snow Services was provided in the Board packet. The contract includes mowing in the amount of \$38,271.95, Broadleaf spraying in the amount of \$4,504.65 and Roundup application in the amount of \$2,252.33 per season. The contract also includes an increase of 2% per year. Hess noted that “plus tax” should be removed from the proposal since the Town is not subject to tax. Motion: Hess/Munson to approve the lawn contract for 2014-2019 after striking “plus tax.” Motion carried.
- d. DOT Highway 19 Bridge project. Kurt attended meetings regarding the bridge work on Highway 19 scheduled to start in August. The State no longer plans to have bypass lanes open during the construction. The identified detour route does not include Town roads however; there is a concern that traffic will direct itself on Town roads. Kurt suggested that the DOT include funds for signage on Town roads in the project. Kurt also suggested that the DOT contact businesses in the area in advance of the project to communicate the preferred detour route. Ayers suggested that the Town consider posting “no through truck traffic” signs and contracting a deputy to patrol the roads during construction. Kurt reported that there is also a push to expand Highway 19 to four lanes concurrent with the bridge project but the DOT said that it isn’t possible due to the extensive permitting process.
- e. McCoy Road maintenance. Kurt reported that Sun Prairie plans to reconstruct their portion of McCoy Road. He noted that the Town’s portion is in poor shape and recommended coordinating the repair with Sun Prairie. He suggested doing the project in 2013 in lieu of Reiner Road since the City of Madison will not be repairing their portion of Reiner until 2014. Kurt shared three options for repairing McCoy Road prepared by Lew Kollmansberger, Town Engineer. The Board was generally in favor of the “Malibu” option to pulverize and repave from the Town line to just past the farm driveway in the amount of \$69,450 plus

19% for engineering. Kurt will obtain an estimate for the ditching not included in the quote. Staff will contact the City of Sun Prairie regarding coordination of the project.

- f. Operator's licenses. Motion: Searls/Hess to issue an Operator's License to Michael Doll. Motion carried.

3. OLD/UNFINISHED BUSINESS

- a. Update on Charlotte's Walk Pond 2 un-named tributary (BB1) study. No update was given.
- b. Status of the possibility of extending/connecting Token Rd, Rebel Rd and Bull Run as requested by the City of Sun Prairie. Due to the logistics of connecting the road, Board members agreed that Rebel Rd should be removed from the discussion. Ayers and Anderson will meet with Daryl Severson of Sun Prairie to get more information prior to holding a public meeting. It was determined that the public information meeting is held separate from a Board meeting and that emergency personnel is also invited to attend.

4. COMMITTEE REPORTS (AS APPLICABLE)

- a. Plan Commission- meeting on February 27 to consider the renewal of the CUP for the Hindu temple on Burke Road.
- b. ETZ Committee- no report.
- c. Events Committee- no report.
- d. Parks Commission- no report.
- e. Fire Commission- the Fire Department Annual report was included in the packet.
- f. NECC- only issue of concern from the meeting on January 28 was that the Court Clerk had not been informed of the new deputies for Westport and Bristol.
- g. JRTC- no report.
- h. NE FUDA- met on February 14 and discussed the Community Development Plans for Madison and Sun Prairie. Will begin discussing environmental impacts at the next meeting in April.

- 5. ADJOURNMENT. Motion: Searls/Berg to adjourn. Motion carried. Meeting adjourned at 8:41 p.m.

Brenda Ayers, Clerk/Treasurer
Town of Burke
03/13/2013