

Town of Burke Board Meeting Minutes – October 3, 2012
6:30 p.m.

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Searls and Supervisor Munson. Excused: Supervisor Hess. Also in attendance: Brenda Ayers, Clerk/Treasurer; Ron Kurt, Public Works; Anne Anderson and Lew Kollmansberger, Town Engineers. 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 6:30 p.m. by Chair Viney.
- c. The Pledge of Allegiance was recited.
- d. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 25442-25503 and payroll related disbursements number 2158-2177.
- e. Public Concerns: None.

2. NEW BUSINESS

- a. Operator's licenses. Motion: Searls/Berg to approve Operator's Licenses for Ricardo Garza, Erica Graca and Marc Welsh. Motion carried.
- b. Letter of Credit requirement Gehrke's Knoll. Don Tierney explained that he plans to install the final lift in Gehrke's per the Town's specifications but feels the letter of credit is excessive. He stated that he is a man of his word as he proved by the beautiful park he installed in the subdivision. Kollmansberger reported that the contractor will do a proof roll in lieu of undercuts and will wedge fill the ruts. Anderson stated that the results of the proof roll could substantially reduce the amount required for the letter of credit. Searls asked about the cost of the letter of credit. Tierney responded that it is 1% of the amount of the letter of credit. Tierney further explained that the letter of credit also shows up as a liability on his balance sheet and affects his ability to obtain funding for other projects. Searls asked if Tierney was objecting to the amount of the letter of credit or the requirement of the letter of credit in general. Tierney said that he is putting money into the project and doesn't want to tie up capital on the letter of credit. Viney read through the options given to the Board by the town attorney. Kollmansberger suggested a one year written guarantee. Tierney said he is willing to sign a written guarantee. Motion: Munson/Searls to accept a written letter of guarantee for one year from date of the project completion letter from Don Tierney for final layer of asphalt in Gehrke's Knoll. Berg-nay. Motion carried.
- c. 2013 Budget. Ayers explained that the AECOM estimate included an alternate of TMDL revaluation in the amount of \$10,112. She suggested including one-half of the costs in the 2013 stormwater budget and the remainder in 2014 since the revaluation would not take place until late 2013/early 2014. She also suggested including \$25,000 in the stormwater budget for the BB-1 project. The Board discussed "incidental" policing items since the Town will not contract for a deputy in 2013. They agreed

to set aside \$1,500 for background checks and minor sheriff's contracts (such as assistance for Rhythm and Booms). Ayers indicated that the Land Division Ordinance needs to be updated. The Board agreed to place \$15,000 in the budget for updating the ordinance. Ayers will confirm the estimate with the Town attorney prior to finalizing the budget. The Board discussed 2013 wages and decided to leave the wages the same as 2012.

- d. Request from City of Madison to participate in the 2013 Reiner Road project. Ayers noted that this portion of the road is split down the centerline between the Town and the City. Kurt reported that the project is .6 of a mile. A concern was raised about recouping the money in the event that the City takes over the Town's portion of the road in the future. Ayers indicated that the contract will include a prorated reimbursement plan in the event the City does take over the road. Motion: Berg/Searls to allow Ayers to advise the City of Madison that the Town is willing to pay \$158,500 for the Town's share of the project as presented by the City if the contract contains the standard proration language. Motion carried.

3. **CLOSED SESSION: The Town Board will convene into closed session pursuant to Wis. statute 19.85(1) (e)** Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to discuss the Dane County Sheriff's agreement. The Board did not convene in Closed Session.
4. **OPEN SESSION:** the Town Board will reconvene into open session pursuant to WI Statutes 19.85 (2) for discussion and possible action regarding matters discussed in Closed Session and to proceed with other items on the agenda.
5. **ADJOURNMENT**
Motion: Searls /Munson to adjourn. Motion carried. Meeting adjourned at 8:25 p.m.

Brenda Ayers, Clerk/Treasurer
Town of Burke
10/12/12