

**Town of Burke Board Meeting Minutes – October 20, 2010**  
**6:00 p.m.**

Board members in attendance: Chairman Viney, Supervisor Hess, Supervisor Berg and Supervisor Munson. Excused: Supervisor Searls. Also in attendance: Brenda Ayers, Clerk/Treasurer; Ron Kurt, Public Works; Lois Ford, Deputy Clerk/Treasurer; Chris Hughes, Town Attorney and Anne Anderson, Town Engineer. 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 Viney.
- c. The Pledge of Allegiance was recited.
- d. Approval of October 6, 2010 Board meeting minutes. Motion: Hess/Munson to approve the minutes as presented. Motion carried.
- e. Public Works report. Kurt introduced Don Hoffmann to the Board. Kurt reported that staff is working on the last round chipping for the year. Crack filling on the roads has been completed. Sun Prairie has erected their new salt shed. The Town has a credit from last season for 65 tons of salt. Kurt obtained an estimate from Service Specialists of approximately \$800 to replace the furnace in the wash bay with a unit from the old building that has been in storage.
- f. Clerk/Treasurer report. Ayers reported on the Token Creek Park Action Plan meeting she and Ford attended in September. She also reported that the bill for the Hoepker Road Cemetery assessment arrived and it is \$12,000 less than the original estimate.
- g. Finance Report. Ford reported that M.A.T.C.'s levy is 16% higher than last year.
- h. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 23050-24068 and payroll related disbursements number 1410-1423.
- i. Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. None.

**2. NEW BUSINESS**

- a. Operator's licenses. None
- b. Revision of Parking Ordinance. Ayers explained that the purpose of the ordinance is for the court to recover some of its costs when parking tickets are not paid in a timely manner. Motion: Hess/Munson to adopt Ordinance No. 10202010. Motion carried.
- c. Request for waiver of conflict of interest from Murphy Desmond regarding representation of James and Avery Sielehr. Motion: Hess/Berg to deny the conflict of interest waiver. Motion carried.
- d. Dane County Radio System. Motion: Hess/Munson to authorize the Town Chair and Clerk to sign the resolution with a new sentence at the end of paragraph four as follows: "The Town of Burke reserves the right to withdraw its approval if the adopted formula is detrimental to the Town's best interest." Motion carried.
- e. Consideration of a resolution presented by the Dane County Town's Association regarding retaining positions in the Dane County Sheriff's Department. Motion: Berg/Hess to authorize the Town Chair and Clerk to sign the resolution as presented. Motion carried.

**3. OLD/UNFINISHED BUSINESS**

- a. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions. Anne Anderson of Mead and Hunt submitted two letters to the Board outlining her recommendations, which were included in the Board packet. She also discussed the options with the Board. Her main recommendation is to install a larger culvert under the driveway from Templeton to the Lothe property. She also recommended removing the sediment in pond 2 to allow for more storage and to obtain

soil borings near the pond to determine groundwater levels. Anderson suggested that the Board consider the option of contacting the developer to aid in correcting some of the issues, which were overlooked in the original project design. Motion: Hess/Munson to authorize Anderson to obtain soil borings around pond 2 at a cost not to exceed \$1,000. Motion carried.

- b. Committee & Commission appointments. None.
- c. Possible repair of Charlotte's Way. No action was taken.
- d. Follow up on 2009 Road projects. See closed session.
- e. Status of Intergovernmental Agreement for EMS Services. No action was taken.
- f. Hiring of a temporary snowplow driver. Motion: Hess/Berg to hire Don Hoffmann as a temporary snowplow driver at a rate of \$14 per hour. Motion carried.
- g. 2010-2011 Contract plowing. Miller reduced the price to \$14,250 as a result of removing roads from his route. Kurt and Ayers will see if Miller will add Leo Circle to the route without increasing the cost to the Town.
- h. Detachment of a portion of the Bostad property previously annexed to the City of Sun Prairie (Weybridge Development) and attachment to the Town of Burke. No action was taken.
- i. Request for releases from Oppidan Inc. (Gander Mountain). Ayers explained that the only concern in releasing the developer's agreement in its entirety is the collection of special assessments. Hughes will add language to the release protecting the Town's interest in the special assessments. Motion: Munson/Berg to authorize Hughes to draft a release that includes protection of the special assessments. Motion carried.
- j. Request from Sylvia Koscielski for overweight vehicle permit. Motion: Hess/Berg to deny the request. Motion carried.
- k. 2011 Budget including consideration of 2011 salaries. Ford reviewed the budget with the Board. Hess reported that the Personnel Committee recommends a 2% increase in salaries and no furlough days for staff.

**4. COMMITTEE REPORTS (AS APPLICABLE)**

- a. Plan Commission/ETZ Committee- nothing to report.
- b. Parks Commission- nothing to report.
- c. EMS Committee- Ayers is meeting with Krueger and Wolf to discuss a dissolution agreement.
- d. Fire Commission- the Board approved the 2011 Fire Department budget as presented.
- e. NECC- next meeting is October 25, 2010.
- f. JRTC- nothing to report.

**5. THE TOWN BOARD WILL CONVENE INTO CLOSED SESSION PURSUANT TO WIS. STAT. SEC. 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved related to 2009 Roads Project defects. Motion: Hess/Berg to convene in closed session. Roll call: Berg-aye, Hess-aye, Viney- aye, Munson-aye. Motion carried. Motion: Hess/Berg to authorize Mead and Hunt to obtain core samples from their geotechnical engineers at a cost not to exceed \$1,000. Motion carried.**

**6. OPEN SESSION. THE TOWN BOARD WILL RECONVENE INTO OPEN SESSION PURSUANT TO WIS. STATUTES 19.85(2) for discussion and possible action regarding matters discussed in Closed Session and to proceed with other items on the agenda. Motion: Hess/Munson to reconvene in open session. Motion carried.**

**7. CLOSED SESSION. THE TOWN BOARD WILL CONVENE INTO CLOSED SESSION**

PURSUANT TO WIS. STAT. SEC. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. For purpose of discussing personnel matters including 2011 wages and benefits. The Board did not discuss this item in closed session.

8. OPEN SESSION. THE TOWN BOARD WILL RECONVENE INTO OPEN SESSION PURSUANT TO WIS.STATUTES 19.85(2) for discussion and possible action regarding matters discussed in Closed Session and to proceed with other items on the agenda.
9. ADJOURNMENT.  
Motion: Viney/Hess to adjourn. Motion carried. Meeting adjourned at 8:47 p.m.

Brenda Ayers  
Clerk/Treasurer  
Town of Burke  
10/29/2010