

Town of Burke Board Meeting Minutes-May 16, 2012
6:00 p.m.

Board Members in attendance: Chairman Viney, Supervisor Berg, Supervisor Hess and Supervisor Searls. Also in attendance: Kim Peterson Deputy/Clerk Treasurer; Ron Kurt, Public Works; Anne Anderson, Town Engineer and Chris Hughes, Town Attorney. See attached list for other interested parties in attendance.

1) ADMINISTRATIVE

- a) It was determined and that a quorum was present and that the meeting was properly posted.
- b) The meeting was called to order at 6:00p.m.by Supervisor Hess (Chairman Viney stepped away to take a phone call). Viney returned to the meeting at 6:05 p.m.
- c) The Pledge of Allegiance was recited.
- d) Approval of minutes from the April 18, 2012, Board meeting. Motion Hess/Berg to approve minutes as presented. Motion carried.
- e) Public Works report. Kurt reported that road shouldering was half completed. He will be switching tractor over with mower attachment for ditch mowing. All town parks have been sprayed for annual weed control. Spring Cleanup Day will be held, May 19, 2012 from 8:00a.m – 12:00p.m. Information of accepted items is on the website. Final numbers for salt use for the 2011/2012 plowing season were in and 296 tons were used, roughly 1/3 of the salt used in the previous year. Kurt presented a figure packet for Pre-wetting tank. Kurt asked for okay to have tank set up on one plow truck over at Burke Truck at their convenience to be ready for next plowing season. The Board Members had no objections.
- f) Clerk/Treasurer report. Peterson reported for Ayers that here were 954 voters for the May 8th election. We have already received 25 absentee applications for the June 5th election. Thirty absentee voters cast ballots for the May 8th election. Also noted Spring Cleanup Day, which Kurt reported on. Board of Review on calendar for June 6, 2012 from 6:00p.m - 8 p.m. or longer, it must be held for at least 2 hours. Peterson commented re: upcoming agenda item f), in New Business; Phyllis Peterson reimbursement request for sewer back up. Mrs. Peterson had come to the town on two occasions to complain but never asked for anything until Clerk Ayers asked her what she wanted the Town to do.
- g) The Cash on Hand report for April 30, 2012 was given to all members at the meeting.
- h) Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 25132-25192 and payroll related disbursements number 2001-2027.
- i) Public Concerns: Peterson read Veto's written report.

2) NEW BUSINESS

- a) A request from Pat Nimmow for a holding tank at 6239 Harvest Lane for the purpose of handling wastewater from an in garage kitchen used for wholesale bakery purposes. Mr. Nimmow wanted to thank Brenda Ayers for all her help

- regarding this matter and asked the Board members to pass that along to her. Mr. Nimmow informed the board as to the history of events during construction that brought him to this point of requesting the holding tank. Mr. Nimmow indicated he was required to get a servicing contract which he did through Strandors. He contacted MMSD, gave Jim Meyerhoffer from the county a statement of how much water would be disposed of in the tank to the best of his estimate. A septic company from Dane was called to figure out where the tank would go. Maps have been provided, Diggers Hotline has been called. Berg questioned whether a sprinkler system was installed. The answer by Nimmow was no, but they do have fire extinguishers and that there would be minimal to no deep frying as they are mainly concentrating on baking of cookies and pies. Hess asked where the existing septic was located. Nimmow responded: it was 50 feet north of the deck and the field drain was straight west. Hess asked if there were going to be two chimney stacks or one because of a discrepancy on the drawings. Nimmow indicated there would be one. Hess asked Mr. Nimmow if he had looked at the Holding tank agreement. Holding tank agreement, item #3 was questioned by Nimmow. He asked if the 60-88 days to have it pumped would be enforced as he indicated the winter months are a slower time for him so he did not think it would need to be pumped in that time frame. Hess indicated that when the contractor comes out if there is not enough to be pumped that the contractor certify that and it should be sufficient. Motion: Berg/Hess to approve request for holding tank at 6239 Harvest Lane. Motion carried.
- b) Humane Society for an event to be held on June 2 at Camp K-9, 4934 Felland Road. Duncan Campbell, property owner, indicated the event will be held in the parking lot area where people currently park for dog grooming etc. Jodi Worstman, of the Dane County Humane Society said there will be a number of dog-related demonstration's, Madison Police Department will have a car parked along with their canine demonstration. Food and beverages will be served. Campbell indicated they own 40 acres of land and will be mowing part of their property for new parking. Campbell also indicated that the food was being brought in by My Buddies of Madison and they would be supplying one licensed bartender but they could get more if needed. Viney asked if someone would be checking I.D.s. Worstman responded that they would have someone do that if that is required. Searls stated that he would be okay with approving it with recommendations from Deputy Veto and that they comply with his requirements. Motion: Searls/Berg to approve a temporary Class B license for June 2, 2012, 12 noon – 5p.m., with the requirement that they meet Deputy Sheriff Dale Veto for recommendations of setup. Motion carried.
- c) Request from Token Creek Lions Club to approve the closure of Portage Road from Rattman to Highway 19 on the 4th of July from 10:30 a.m. to 3:00 p.m. Tara Vraniak representing the Token Creek Lions Club was in attendance. Motion: Berg/Searls to approve the closure of Portage Road from Rattman to Highway 19 on July 4, 2012 from 10:30 a.m. to 3 p.m. Motion carried.
- d) Nuisance tree at 6123 Danielle Road. Ayers had recently sent letter to the homeowner as requested by the Board at the April 18, 2012 meeting. Ron Kurt Public Works updated that he was in contact with the homeowner. The

homeowner has called a tree service on the advice of Mr. Kurt, however the contractor did not have time to remove it this week so Kurt indicated that he would give him more time to get it down. Kurt also advised that he is also in contact with George from Competitive Tree Service.

Motion: Berg/Searls to move to item 2) 1) Motion carried.

- e) ATC Easement Permission: Chris Hughes reported on the options brought by Mead and Hunt for installing a culvert under Charlottes Way on the north side of HWY 19. Option: 1) Go back to ATC and have them strike #4 and #5 from the permit 2) Moving the culvert 5 feet out of the easement area. Hess asked how much of a change it would be to move the culvert. Anderson advised that it would be fairly minor, but the plans would need to be adjusted. Hughes advised the board that option 2) as listed above, would be best. Anderson advised the work would be starting in June. Viney expressed concern about school still being in session and traffic problems. Anne replied, that construction would probably begin near the time when school was getting out. Motion: Hess/Searls to approve option 2) above, the Mead and Hunt revised plan to move the culvert out of the easement 5 feet. Motion carried.
- f) Request for reimbursement for a sewer backup from Phyllis Peterson, 4790 and Vernon Road. Hughes advised to submit the bill to insurance as a claim. See what happens from there. If insurance was not going to cover the bill then she would have to file a formal complaint against the Town in writing. The maintenance of the sewer line was then discussed. Anderson questioned the portion of the road where the line was obstructed. Kurt reported that it was towns portion of the road. The Board will instruct Clerk Ayers to send a letter indicating that we received her request for reimbursement and that the Town would be submitting to the Insurance carrier. No Action taken.
Motion: Berg/Searls to move to item 2) 1) Motion carried.
- g) Award bids for 2012 Roads Project. Anderson recommended based on review of the bids that the town award the contract to Wolf Paving in the amount of \$318,971.48 as they were the lowest. Board members discussed history of past projects. Motion: Hess/Berg to award 2012 Roads Project to Wolf Paving. Motion carried.
- h) Burke Conservancy Park Improvements. Anderson indicated that it was determined that the park is not in a wetland, there is not a drainage way where the equipment is located. However, there are some drainage areas around it. Anderson also determined, where the park equipment was put in and after woodchips were added it looked nice however, the woodchips deteriorate over time. Anderson prepared 3 options. 1) Remove park equipment. 2) Do something to correct the drainage, install drain tile and raise up the area with soil and then add material. Examples: woodchips, pea gravel, sand or other approved material. 3) Relocate the park. Hess asked cost of option 2. Anderson replied around \$4,000 to \$5,000 dollars. Anderson also added that the pea gravel material might be more cost effective. Kurt indicated he could put some cost estimates together. Hess questioned if this is a Board decision or a Parks decision. Berg replied that the Park Commission would make a recommendation to the Board and since the Park Commission is not up and running yet that a decision by the Board should be

made in his opinion, but first find out the cost. Berg indicated he would like to table the item until he has a chance to talk with the residents around the park and for Ron Kurt to get some cost estimates for the material. Motion: Berg/Searls to table action until the next meeting. Motion carried.

Motion: Hess/Searls to move to item 3) a) Motion carried.

- i) Operator's license. None
 - j) Dane County Ordinance Amendment 39, 2011-2012. Motion: Hess/Berg to approve Dane County Ordinance Amendment 39, 2011-2012. Motion carried.
 - k) Petition for attachment submitted by Jay Fuller and Associates (Jim Taff to the city of Madison. Hughes advised no formal action needed. Informational only.
 - l) Request for an ag producer fireworks permit from Alan Romeis property located at 6186 Portage Road for the purpose of keeping birds out of his spinach crop. Mr. Romeis indicated he would like to shoot off bottle rockets to keep raccoons and other critters out of his spinach and garlic crops. Berg asked if it would interfere with the flight pattern of the airplanes at the airport. Romeis replied no. The type of fireworks would be 500 ft minimum. Viney asked at what time would these fireworks be set off. Romeis replied early a.m. and dusk. Viney asked if this would be a seasonal thing. Mr. Romeis replied that it would be for the growing season. Berg asked if he anticipated being back yearly for the permit. Romeis replied that he would if it was effective. Romeis said he had already talked with the neighbors. Hess asked what type of fireworks that would be used. It was indicated the type you can get at Cornellier or other similar retail places. Searls asked if he filed his taxes as an ag producer. Romeis replied that he was zoned ag however he was not sure if that was how he filed. Searls remarked that he would not have a problem with it as long as there are no complaints from neighbors. Chris Hughes Town Attorney remarked that any restrictions can put on the approval of the permit such as complaints. Berg referred to ordinance that crop protection signs would need to be erected. Motion: Berg/Hess to grant Alan Romeis a fireworks permit for the growing season but may be reviewed after 30 day following any complaints. Motion carried.
- 3) OLD/UNFINISHED BUSINESS
- a) Charlottes Walk Pond project update. Anderson indicated the grass is finally starting to come in and there doesn't appear to be any other issues. The punch list is being completed. Kurt indicated there are some cattails coming in along where they will be mowing so he will be knocking them down before they get out of hand.
- 4) COMMITTEE REPORTS
- a) Plan Commission. Hess reported at the Plan Commission Meeting there was discussion regarding the building of a residential area at the intersection of Reiner and Burke roads and that there will be a public hearing before the Board. He also reported on the Certified Survey and Conditional Use Permit will be coming before the Town Board, for NAMI. A restriction of eighteen storage/job trailers was recommended by the Plan Commission.
 - b) ETZ Committee. Berg reported at the April meeting they approved changes in the ordinances. A substantial change was to increase notifications to the Town to five working days. .

- c) Events Committee. None
- d) Parks Commission. Berg said he would have to actively go out door to door to try to recruit people for the committee since he has not gotten much interest from some of the residents he has contacted.
- e) Fire Commission-Searls reported that Burke supported Sun Prairie however the Town would like to meet with all the parties except S.P. Volunteer Fire Department. No meeting has been scheduled.
- f) NECC. Hess reported, the financials were reviewed. Court is ahead on income. Retained fees are up about \$1,500 dollars.
- g) JRTC. Nothing to report.

5) ADJOURNMENT

Motion: Berg/Searls to adjourn. Motion carried. Meeting adjourned 8:07p.m.