

**Town of Burke Board Meeting Minutes – September 21, 2011**  
**6:00 p.m.**

Board members in attendance: Chairman Viney, Supervisor Berg and Supervisor Hess.  
Excused: Supervisor Munson and Supervisor Searls. Also in attendance: Brenda Ayers,  
Clerk/Treasurer; Kim Peterson, Deputy Clerk/Treasurer 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 6:08 p.m. by Viney.
- c. The Pledge of Allegiance was recited.
- d. Approval of August 17, 2011, Board meeting minutes. Motion: Hess/Berg to approve the minutes as presented. Motion carried.
- e. Public Works report. Kurt was not present.
- f. Clerk/Treasurer report. Ayers noted that the resolution passed last month regarding ward assignments contained a typographical error and asked the Board to sign the corrected copy. Ayers is meeting with staff from Maple Bluff and Blooming Grove on September 30 to discuss the status of the asset dissolution. Peterson contacted MG&E and found that there would not be a charge to place a street light at the end of Dennis Drive. Morris Cooper is interested in renewing the rental agreement which expires on 12/31/2011 for a five year term. Ayers will prepare a new rental agreement for approval at a future meeting.
- g. Finance Report. The Cash on Hand report and Profit and Loss budget comparison as of August 31, 2011, was included in the Board packet.
- h. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 24632-24693 and payroll related disbursements number 1746-1782.
- i. Public Concerns: Captain Richelle Anhalt from the Field Services division of the Dane County Sheriff's office was present to introduce herself to the Board. Deputy Veto was not present but submitted a written report of the calls in August.

**2. NEW BUSINESS**

- a. Operator's licenses. Motion: Hess/Berg to approve licenses for Mary Falk and Ashley Nicholls-Nyhos. Motion carried.
- b. A request from Joan Duren/Douglas Gehrke for the permission to build a fence on lot 1 of CSM 11118 (vacant lot) prior to completion of the rezone process for the purpose of containing animals property located at the corner of State Highway 19 and Westmount Drive, Sun Prairie, WI (parcel number 0810-022-9815-0). Joan Duren explained that she rents the house (lot 2) from Gehrke and that they are in the process of getting lot 1 rezoned from B-1 to A-2. She further explained that she has started to construct a fence on lot 1 because Roger Lane of Dane County Zoning told her that he did not think it would be an issue. She apologized for beginning construction without the proper approval. Berg expressed his concern about giving permission for Duren to erect a fence on property she doesn't own. Duren explained that they plan to start the process to purchase the property in March. Viney asked about water and electricity on the property. Duren stated that she plans to transport water from lot 2 and she does not have a plan for electricity yet but she would contact

Alliant. Hess noted that the rezone was requested because commercial is not a feasible use on this property. Angie White, property owner to the north expressed her concerns about the renters not having a vested interest in the property and the aesthetic affects on the subdivision. Motion: Hess/Berg to grant permission to build the fence contingent upon Duran completing the proper Building Permit application and the fence is constructed in accordance with the requirements of A-2 zoning including the appropriate setbacks. Hess- aye, Berg- nay, Viney-nay. Motion failed. Viney said he was concerned that more thought needs to be put into the fence including how water and electricity will be provided to the property. Duren also noted that Gerhke wants the property rezoned but he does not want to go through the process since he already went through it when the property was rezoned to B-1. Duren stated that she is paying for the fees associated with the rezone. Motion: Berg/Viney to deny the request for permission to put up a fence on Lot 1 of CSM 11118. Berg- aye, Viney- aye, Hess- nay. Motion carried.

- c. Token Creek Park Plan discussion with Chris James from Dane County Parks. Chris James was not able to attend the meeting and has rescheduled for October 5<sup>th</sup>. Hess reported that he would like residents in the area to be invited to the October 5 meeting. Ayers expressed her concern that the purpose of the meeting was for the Board to conduct business with the county regarding maintenance of the Town roads that will be impacted by the new park entrance. Berg stated he was concerned that the residents would use the opportunity to oppose the park plan and the Board meeting is not the appropriate forum. Viney stated the thought it was a good idea to invite the public. Ayers will send notices to property owners along the route suggested in the park plan (Hoepker, Portage, Sommer Valley Circle, and Anderson) notifying them of the meeting. It was determined that James would not make a presentation of the park plan at the meeting and property owners would not be given an opportunity for public input.
- d. Employee Grievance Procedure. Ayers explained that she asked Drew of Stafford Rosenbaum to draft the procedure as required to be adopted by October 1<sup>st</sup> per the Budget Repair Bill ACT 10. Motion: Hess/Berg to approve the Grievance procedure prepared by Stafford Rosenbaum with a changing of Public Works Director to Public Works Supervisor. Motion carried.  
Motion: Hess/Berg to move to agenda items 3a & b. Motion carried.
- e. Possibility of an employee bonus program to compensate for the increased contribution to the WRS. Berg concerned against state statutes. Berg expressed his concerns that the bonus might be in violation of ACT 10. Motion: Berg/Hess to approve the proposed employee bonus program as presented contingent on getting legal advice that it is not unlawful to do so. Motion carried.
- f. Resolution 09212011 transferring excess 2010 budget funds. No action was taken because a 2/3 majority was not present at the meeting.
- g. 2012 Budget. A spreadsheet comparing 2012 and 2011 with changes to the state aids and employee retirement and insurance contribution amounts was provided in the packet. More information will be provided for the October 5 meeting.

### 3. OLD/UNFINISHED BUSINESS

- a. 2011 Roads Project update. Anderson reported that the contractors are on track to meet the final deadline however they did apply for an extension

on the erosion control permit. It is taking longer to complete the landscaping because some were redone because people were driving over the fresh dirt/seed. Anderson also reported that they are at a stand still at this time with the ditching on Old Fox Run because the gas main is not buried low enough.

- b. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions including approval of the temporary construction and perpetual drainage easements. Anderson stated that she is working with the Army Corps of Engineers and WI DNR. A public meeting with property owners in the area is scheduled to occur at the beginning of the October 19 Board meeting. Motion: Hess/ Berg to approve the temporary construction and perpetual drainage easements as prepared by Stafford Rosenbaum and Mead Hunt and to authorize Searls, Anderson and Ayers to work with the property owners to get the easements recorded. Motion carried. Motion Hess/berg to return to item 2e. and to proceed with the original agenda order. Motion carried.

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

- a. Plan Commission/ETZ Committee- both met on September 13. The Plan Commission acted on a site plan for the former Morris Materials building and a rezone request submitted by Doug Gehrke/Joan Duren. The ETZ met regarding the site plan review and the EMBP rezone. Steve Berg is the new Chair of the ETZ.
- b. Parks Commission- no report.
- c. Fire Commission- a meeting regarding the 2012 budget was held on August 18. The fire department is looking at adding full time staff in 2012.
- d. NECC- the next meeting is October 31.
- e. JRTC- the commission is working on the marketing plan including the creation of a website.

#### 5. ADJOURNMENT

Motion: Berg/Hess to adjourn. Motion carried. Meeting adjourned at 8:15 p.m.

Brenda Ayers, Clerk/Treasurer  
Town of Burke  
9/28/2011