

Town of Burke Board Meeting Minutes – May 5, 2010
6:00 p.m.

Board members in attendance: Supervisor Berg, Supervisor Hess, Supervisor Munson and Supervisor Searls. Excused: Chairman Viney. Also in attendance: Brenda Ayers, Clerk/Treasurer; Lois Ford, Deputy Clerk/Treasurer; Ron Kurt, Public Works and David Schleicher, Public Works. See attached list for other interested parties in attendance.

ALL AGENDA ITEMS ARE SUBJECT TO POSSIBLE ACTION

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 Hess.
- c. The Pledge of Allegiance was recited.
- d. Presentations by Engineering Firms. Lew Kollmansberger of Mead and Hunt provided a Statement of Qualifications booklet and reviewed some of the information with the Board. Mead and Hunt is an employee owned company founded in 1900. Kollmansberger explained that Mead and Hunt believes in team building and giving back to the community. They also have a quality assurance program to provide solutions to fit needs and budget. Anne Anderson was introduced as the Town's primary contact with expertise in storm water management. Anderson has been with Mead and Hunt for seven years and primarily works on municipal related projects. She has experience in bidding documents, road design and utility design. Dustin Wolf was introduced as a certified planner with Mead and Hunt. Wolf has been with Mead and Hunt for eighteen months and has experience working with ETZ and TIF districts. Mead and Hunt also offers survey services and plat review lead by Sean Walsh. Mead and Hunt has its own soils and materials lab and performs compaction testing.

Bill Dunlop of Foth introduced himself as an employee and part owner. Dunlop provided a Town Municipal Engineering Services handout and reviewed some of the information with the Board. Foth was founded in 1938 and provides full service capabilities including planning, engineering and GIS interface. Dunlop expressed his interest in having effective communication with Board and staff in his role as the single point of contact for the Town. Jamie Rybarczyk was introduced as the Planning and Zoning Code specialist. Rybarczyk provides assistance in code administration, comprehensive plans, economic development and site planning. He is also available to assist with plan commission agendas and meeting minutes. Chris Saxby was introduced as the contact for Transportation/Roadway projects. Saxby has been with Foth for one year and his prior experience is primarily with the DOT. He has recently worked with City of Middleton and Sauk City. In Waterloo, he used the PASER program to establish a long range street plan. He also assists with utility and stormwater projects as they relate to roadways. JoAnn Taylor was introduced as the contact for Grant Assistance. Fifteen of her twenty years experience with Foth is in funding. Taylor works with the Department of Commerce and assists municipalities of all sizes. In addition to the staff introduced, Dunlop noted that Brian Stanul would be the contact for Stormwater and Landfill Projects; Todd Buhr would serve as the Surveying contact and Bobbie McIlroy provides GIS/Mapping services. Dunlop indicated that Foth would work with the Town to develop a long range road plan, review drainage/stormwater issues and review development and site plans. Dunlop said that Foth representatives look at themselves as being a part of the Town staff. Dunlop reviewed the company's Core Values and put emphasis on looking for the root of the problem when issues arise.

Neither of the firms are the engineer of record for our neighboring municipalities. Foth did recently complete a project for the City of Madison which was competitively bid. Both companies indicated that they would not be opposed to reviewing and providing input on plans from neighboring communities.

- e. Approval of April 21, 2010 Board meeting minutes. Motion: Berg/Munson to approve the minutes as presented. Motion carried.
 - f. Clerk/Treasurer report. Ayers reported the carpet and tile were installed the week of April 26th and the actual cost was \$100.80 less than the estimate since the cove base in the conference room was not replaced. Lonnie Konsella and Lori Munson painted the community room prior to the carpet installation. Ayers also reported that one of the election workers (Nancy Mullen) recently passed away.
 - g. Finance Report. Ford provided the Profit and Loss Budget to Actual report as of 4/30/2010 and was present to answer questions.
 - h. Approval of Bills. Board members reviewed the bills and signed the Town Board Approval cover sheet for check number 23741-23764 and payroll related disbursements number 1204-1221.
 - i. Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. Tim Schlobohm, 6054 Hagen Hill Circle, was present to discuss the letter sent to him by Attorney Chris Hughes on behalf of the Town of Burke. Schlobohm expressed his opinion that the black dirt and grass that was placed in the shoulders during the 2009 road reconstruction was not sufficient to support the roadway which is cracking. Schlobohm indicated that he improved the situation by placing gravel in the right-of-way adjacent to his property. Town Engineer, Tom Pinion, stated that grass and black dirt provide as much support to the road bed as gravel. Black dirt and grass are lower maintenance and have been used successfully in other road projects within the Town. Schlobohm also inquired about the stakes in the right-of-way. Ayers explained that a letter has been sent to the property owners asking that the stakes be removed within 30 days. Pam Treige of Hagen Hill Circle raised concerns about ruts in the shoulders and the lack of grass. Pinion explained that there is a one year warranty on the project and he will look into the problems with the landscaping. Pinion will also look at the cracks in the road with the contractor. Schlobohm asked if the people who filled in culverts and put gravel in other areas also received letters. Hess said the Town was not aware of these instances and directed Public Works staff to research Schlobohm's allegations.
2. NEW BUSINESS
- a. Appointment of Weed Commissioner. Motion: Searls/Munson to appoint Dave Schleicher as the Weed Commissioner. Motion carried.
 - b. An Ordinance Authorizing Town Board Supervisors to Sign Town Documents, Drafts, Order Checks and Transfers. Motion: Berg/Searls adopt Ordinance 05052010 as presented. Motion carried. Hess will sign in place of the Town Chair for the next 30 days.
 - c. Operator's licenses. None
 - d. **CLOSED SESSION: The Town Board will convene into closed session pursuant to Wis. statute 19.85(1) (c) for the purpose of considering employment, promotion, compensation or performance evaluation data of employees over whom the governmental body has jurisdiction or exercises responsibility** Motion: Hess/Munson to convene in closed session. Roll call: Searls-aye, Hess-aye, Berg-aye, Munson-aye. Motion carried.
 - e. **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. Motion: Hess/Berg to reconvene in open session. Motion carried.

3. OLD/UNFINISHED BUSINESS

- a. Update Town Storm water issues-Charlotte's Walk, Wynbrook and Raintree subdivisions (CDBG-EAP Grant). Pinion is still working with the WI DNR to get the notice of non-compliance issued.
- b. Update on letters sent regarding metal stakes in right-of-way. Ayers reported that the letters were sent via certified mail on April 26, 2010, and that recipients were given 30 days from the date of the letter to be in compliance.
- c. Committee & Commission appointments. No action was taken.
- d. Policies and procedures for Order for Removal of encroachments of Town Right of Way and mailbox standards Motion: Searls/Berg to approve the ordinance Regulating Obstructions and Excavations in the Rights-of-Way, related Attachment A and the Right-of-Way Privilege Agreement as drafted by Chris Hughes. Motion carried.
- e. City of Madison, Hanson Road. Motion: Searls/Berg to authorize Pinion and staff to negotiate with the City of Madison for the Hanson Road project. Motion carried.
- f. Token Creek Park plans. Chris James of Dane County Parks will attend the May 19th Board meeting.
- g. Detachment of a portion of the Bostad property previously annexed to the City of Sun Prairie (Weybridge Development) and attachment to Town of Burke. Ayers reported that the bike path is not on the Bostad property. The City is working with the County to correct the maps. Once the maps are corrected the City will prepare the reattachment paperwork.
- h. Update on EMS Services. Due to a conflict of interest, Chris Hughes will not be able to represent Burke or Blooming Grove in negotiating the Inter-Governmental Agreement for EMS service. Hughes recommended four attorneys to both Towns. Motion: Berg/Searls to approve the engagement letter dated May 4, 2010 from Matthew Fleming of Murphy Desmond. Motion carried. Hess noted the firm's records retention policy and suggested that the clerk get a copy of the file before it is destroyed.

4. COMMITTEE REPORTS (AS APPLICABLE)

- a. Public Works- Hess reported that he conducted Konsella's exit interview on Friday, April 30, and Konsella had completed all tasks on the list of items to do before he left. Kurt reported that they will start shouldering next week. The Board authorized Kurt and Ayers to talk to an individual about a part-time position cleaning and assisting in the Public Works Department.
- b. Plan Commission/ETZ Committee- Hess reported that the ETZ was canceled for May and there will not be a Plan Commission meeting on the May 12th due to lack of agenda items.
- c. Parks Commission- Arbor Day was held May 1st.
- d. EMS Committee- the Board was provided with a draft copy of list of "to do" items for the dissolution of the Maple Bluff EMS District. Hess recommended that Ayers obtain a legal opinion on the district's liability for unemployment compensation.
- e. Fire Commission- no report.
- f. NECC- Searls was unable to attend the meeting.
- g. JRTC- no report.

5. ADJOURNMENT

Motion: Berg/Munson to adjourn. Motion carried. Meeting adjourned at 8:35 p.m.