

**Town of Burke Board Meeting Minutes
Wednesday, March 15, 2017 - 6:00 p.m.**

Board members in attendance: Chairman Viney, Supervisor Berg, Supervisor Nimmow, Supervisor Stieren and Supervisor Truitt. Also in attendance Brenda Ayers, Administrator/Clerk/Treasurer, Teri Saxon, Deputy Clerk/Treasurer and Ron Kurt, Public Works. See attached list for other interested parties in attendance.

1) ADMINISTRATIVE

- a) It was determined that a quorum was present and the meeting was properly posted.
- b) The meeting was called to order at 6:00 by Chairman Viney.
- c) The Pledge of Allegiance was recited.
- d) Public Hearing regarding a preliminary two lot Certified Survey Map (CSM) and rezone submitted by Birrenkott Surveying on behalf Eugene Hahn Jr. for the purpose of separating an existing home from a large lot and adding the remainder to a northern lot and to rezone lot 1 from A-1 to RH-2 and lot 2 from A-1 to R-1. Properties located at 6075 and 6081 Portage Rd (parcel numbers 0810-033-9220-0 & 0810-033-9173-8. Gene Hahn indicated that he owns both properties. The house on lot 2 burned and he plans to rebuild the house. He lives in the house on lot 1.
- e) Public Hearing regarding a preliminary three lot Certified Survey Map (CSM) and rezone submitted by Williamson Surveying on behalf of Dane County Land and Water Resources to reconfigure Outlot 1 Terrace Parklands removing the southern 33 feet and adding it to proposed lot 2 and minor changes to the current boundaries of proposed lot 1 and 2. The rezone is for the 33 foot strip of property from R-1 to A-1 in accordance with the zoning of proposed lot 2 and a possible rezone of proposed lot 3 to A-2 and RH-1. The purpose of creating the 33' strip and the rezone is access off Mary Ida Drive for proposed lot 2. Properties located at 3873 State Highway 19 (parcel numbers 0810-032-8081-2 and 0810-032-8540-6) and 6257 Mary Ida Dr (parcel 0810-032-1421-4). Jan Zimmerman, Dane County Land and Water, introduced herself and indicated that the property is 54 acres. They are currently working with the Tuites and the Jahn Trust to reconfigure the CSM to meet Dane County zoning requirements which requires a land addition from the Tuites. That addition will become lot 1 of the CSM.

Tammy Tuite questioned if there will be an access road allowing people to access the park from this property. Jan Zimmerman responded that this will be an access not a dedicated road. She views this as a service drive for maintenance of the beautiful Jahn Trust property. This property will become Token Creek natural resource area. Tammy Tuite raised additional concerns about visitors to the resource area parking on the lawn of area residents.

Stieren questioned why the Tuites were selling this strip of land to Dane County if they have concerns about the use. Tammy Tuite explained that representatives of the Jahn Trust feel they have the option to purchase property on the northern end of the Tuite lot where an easement currently exists in the vacated Kathy Lane area. She further explained that they have built a substantial shed in the easement area and they do not want to remove it.

Andrew Hackbarth introduced himself and said that we can see into the woods and doesn't want to see a parking lot. He also has a nine year old son and is concerned about the traffic and would like to know what the plan is.

f) Public Concerns: Public's opportunity to speak to the Town Board about any subject that is not a specific agenda item. No comments.

2) Consent agenda (*all items listed under the consent agenda will be approved in one motion without discussion unless any Board member requests that the item be removed for individual discussion and possible action. Any item so removed shall be considered after the approval of the remainder of the consent agenda*)

- a) Approval of minutes from the January 18 and February 15, 2017 Board meetings.
- b) Approval of bills (payroll related disbursements #4047-4102 and bills #28611-#28750) and January Cash on Hand report.
- c) Operator's License applications.

Motion: Truitt/Nimmow to remove operator license applications from consent agenda. Motion carried.

Motion: Truitt/Stieren to approve the consent agenda with the removal of operator license applications. Motion carried.

Motion: Truitt/Nimmow to deny Paul Lang operator's license based on two DUI's in the last five years revealed in his background check. Stieren –nay Berg – nay. Motion carried.

Truitt expressed concern about the applicant's two DUI's in last five years (two years apart). He also is concerned when selling alcohol one is unable to recognize who he is selling to. Applicant indicated that at his previous employment he sold alcohol and the sheriff did routine checks and has never gotten past him.

3) NEW BUSINESS

- a) Resolution 03152017A approving the rezone and CSM submitted by Birrenkott surveying on behalf of Eugene Hahn. Gene Hahn stated he would like to replace the house that burned down.

Motion: Stieren/Berg to approve Resolution 03152017A. Motion carried.

- b) Resolution 03152017B approving the rezone and CSM submitted by Williamson Surveying on behalf of Dane County Land and Water Resources. Nimmow asked what the property will be used for. Jan Zimmerman, Dane County, stated that the land will be a natural resource area. Any building on the property will be very minor. Pets will be allowed but on leashes. Acquiring this property will bring new park lands to the system. The rezone is a 33 foot wide parcel that will be used to gain access to the natural resource area. Viney raised concern that there is not a definite plan for the area. Zimmerman indicated that the park planners will work with the neighbors. She further went on to say that the DNR plans to apply for stewardship dollars for the land to become part of the seasonal archery area to expand the hunting in the area. The rezone will allow Dane County access to the south end of the property. Dane County is purchasing the 33 foot strip of land from Tuite. Truitt asked the Tuite's if they can choose not to sell to Dane

County. Tuite responded that they are selling the 33 foot strip to Dane County because they have a shed on the property and to avoid tearing down the shed they are selling the 33 feet to Dane County. She went on to say they purchased the parcel of land from the Jahn's and built the shed. Dale Garczynski, realtor representing the Jahn Trust, indicated that if the access area as proposed on the CSM is not approved the Trust will have no other choice than to exercise their option to purchase the easement area and force the Tuites to move the shed.

Motion: Truitt/Stieren to table and suggested that the County research other access options such as County Highway 19 frontage. Berg – nay. Motion carried.

Ayers asked what the Board would like accomplished prior to putting the item back on the agenda. The Board recommended that Ayers work with county staff and area residents to address the concerns raised at the meeting.

- c) A petition for attachment submitted by Greg Raemisch and Richard Stern on behalf of Forbes SRE and Stern Enterprises to attach 57.68 acres located off Reiner Rd/US Hwy 151 to the City of Sun Prairie (Parcel numbers 0810-144-8875-0, 0810-144-8220-8, 0810-144-8795-0, 0810-144-9002-0, 0810-144-9500-7 and 0810-144-8770-3). Ayers reported that typically intermediate attachments are on the agenda as an FYI and do not require action. However, since this petition as submitted did not include one-half the width of the right-of-way as required by the cooperative she recommends the Board make a motion to approve the attachment with the condition that it include one-half the width of the right-of-way.

Motion: Truitt/Berg to approve petition for attachment conditioned upon including one-half of the width of the right-of-way. Motion carried.

- d) Biennial Group Stormwater Discharge Report. Ayers recommends that the Board approve the report and authorize AECOM to submit it to DNR.

Motion: Berg/Nimmow to approve the biennial report and recommendation for AECOM to submit report to DNR. Motion carried.

- e) A request from CK Lawn and Landscape for a refund of 2017 trash pick-up charges on the 2016 tax bill. Ayers indicated that CK Lawn and Landscape has requested a refund for accidental charges added to their 2016 tax bill.

Motion: Truitt/Stieren to remove the 2017 trash pick-up charges from CK Lawn and Landscape 2016 tax bill. Motion carried.

4) OLD/UNFINISHED BUSINESS

- a) Follow up on stormwater drainage concerns at 3750 Hoepker Rd. Ayers indicated that the City of Madison will allow connection to the stormwater and could cost between \$15,000-20,000. She further indicated that the Town would need to decide who would pay for the connection. An option to consider would be for the Town to pay for the connection and then assess the resident on his tax bill with minimal interest. Truitt raised concerns that if the Town agreed to pay for the

connection this may bring on more issues and suggested that Ayers discuss with town attorney to assure the proper process.

5) COMMITTEE REPORTS (AS APPLICABLE)

- a) Plan Commission. Berg reported that Plan Commission met on March 8 and discussed possible CUP that will come before the Board.
- b) ETZ Committee. No Meeting.
- c) Parks Commission. Meeting next week.
- d) NECC. January meeting was canceled. Next meeting April 24. Truitt reported that the budget looks fine.

6) NEXT MEETING DATE. TUESDAY, April 18, 2017 Annual meeting followed by regular Board meeting

7) ADJOURNMENT. Motion: Stieren/Truitt to adjourn. Meeting adjourned at 7:16 P.M.

Teri Saxon
Deputy Clerk/Treasurer
Town of Burke
4/14/2017