

TOWN OF PORTLAND BOARD MEETING MINUTES

Thursday, April 11, 2019

Portland Town Hall

7:30 P.M.

NOTE: Prior to the meeting beginning, Jeffrey Spoke, Kurt Keach, and Thomas Crave took their individual oath of office following their re-election on April 2, 2019. Carleen Benninger and Nancy Thompson previously took their oath of office on Monday, April 8, 2019.

Town Chairperson Jeffrey Spoke called the Town of Portland Board's regular April monthly meeting to order at 7:30 P.M., and all persons present joined in the Pledge of Allegiance.

Members Present: Town Chairperson Jeffrey Spoke, Supervisor Kurt Keach, Supervisor Thomas Crave, and Clerk Nancy L. Thompson.

Others Present: Richard Yelk and Diane Graff (Courier editor).

Clerk Thompson verified that proper meeting notices had been posted at the three designated locations as required by law, e-mailed to the Courier editor, included in the Municipality Meeting section of the April 5, 2019, Watertown Daily Times, and posted on the Town's website.

Hearing no requested revisions to the posted agenda, motion by Sup. Keach, seconded by Sup. Crave, to approve the agenda as posted. Keach's motion carried 3-0 on a voice vote.

Motion by Sup. Keach, seconded by Chr. Spoke, to approve the minutes of the March 14, 2019, regular Town Board meeting as printed. Keach's motion carried 3-0 on a voice vote.

No one expressed interest in addressing the Board during the Public Input section of the meeting.

Richard Yelk reported that he had issued the following building permits since the Board's March monthly meeting:

Jerry Stark	50x40 Pole Barn	\$20,000.00
Debra Hubanks	10x16 Deck	\$10,000.00.

Yelk also noted that General Engineering personnel had told him that Peter Medenwaldt was in the process of securing the required building permit for his new single-family residence in the River Oaks subdivision.

In Treasurer Benninger's absence, Clerk Thompson reported that there are ten known residents out of compliance with the Town's dog licensing regulations. Some of those residents just need to submit a current rabies certificate for their dog(s). Others need to just submit the appropriate license fee, and some residents need to do both. Thompson added that Benninger had included dog licensing information with the tax bills sent out in December of 2018 and that she had also sent a letter on March

21, 2019, to each of those ten residents indicating what they needed to do to come into compliance with the Town's dog licensing regulations and not be subject to a late fee. Benninger sought Board direction on how to proceed.

Following brief discussion, the Board agreed to follow past Town practice and to have Benninger ask Officer Weihert to personally visit each of the non-compliant residents and to notify them of their non-compliance and of the Town's late fee and other fees they are subject to. If Benninger learns that Weihert will no longer do so (due to his upcoming retirement) and that there is no other area officer who could do so, Benninger is to notify Chr. Spoke.

Richard Yelk then reported that he had spoken with Dion from General Engineering and learned that the only state-mandated inspection at this time is for new one and two family dwellings. Dion did mention, however, that the state is going to mandate electrical inspections beginning sometime in 2020. As a result, The Board agreed to continue requiring only the state mandated inspections for new one and two family dwellings at this time but to also notify Town residents by the end of this year of the anticipated 2020 state mandated electrical inspections.

Chr. Spoke reported that the Board had driven all Town roads on April 3, 2019, to determine possible 2019 road maintenance projects. That tour indicated either single or double chip sealing was needed on Sullivan, Austin, Yerges, Hickory Lane, and Clarkson Road (Highway I-89). If resources are available for doing so, Tri County should also be chip sealed. (Estimated cost for chip sealing is \$22,000.00 a mile.) In addition, some wedging is needed on Yerges, a little ditching is needed on Doepke, and River Oaks Road is breaking up. (That road might need to be re-paved.) Spoke had called Scott Construction earlier in the day and confirmed that the company would honor its bid which the Board had accepted last year for chip sealing and/or wedging of portions of Sullivan, Austin, and Yerges roads. Spoke added that he could try submitting an application for TRIP or other grant funding toward the end of the year. Following discussion, the Board directed Clerk Thompson to advertise for bids on designated work, with such bids to be returned by the Board's monthly May meeting and all work to be completed by September 1, 2019.

Spoke noted that, while on the "road tour," the Board had also checked for non-compliance with regulations in the Town's zoning ordinance. No new situations were identified. Spoke will be meeting with one resident who the Board has previously notified of his non-compliance to explain what that resident needs to do to bring his property into compliance.

Next the Board discussed the possibility of contracting with Kurt E. Keach, LLC to perform specified 2019 highway maintenance work (such as pothole patching, sign installation, etc.). Keach had no proposal for presentation to the Board but was told that any future proposal should probably include an hourly rate for labor as well as an hourly rate for use of truck and trailer and/or tractor. Chr. Spoke reported the results of a little research he had done on hourly rates for such work and also encouraged Keach to check with his insurance agency to make sure that he could be adequately covered prior to submitting a proposal to the Board. The Board also indicated its interest in contracting with one contractor rather than having a number of "employees" doing such work.

The Board then began its initial discussion regarding the future direction the Town should take concerning zoning and land division issues. Spoke noted that currently the Town has its own zoning and, as a result, is "basically on its own," since the county is "reluctant" to assist municipalities with zoning issues unless contracted to do so. Spoke identified three options for Board consideration going

forward: 1) remain under town zoning and "wing it as they go," trying to get county assistance if possible, 2) hire a consultant (not a budgeted expenditure at this time) to help with drafting zoning changes, answering questions, etc. and 3) adopt county zoning. Spoke noted that in a small municipality like Portland, persons are often asked to rule on their neighbors' requests, and doing so can be difficult. Also, Plan Commission and Town Board members should undergo "a lot of training" if they want to implement Town zoning regulations correctly and keep abreast of current law. He added that a public hearing would probably be required prior to the Board making any decision to adopt county zoning and that Nate Oleson from Dodge County Land Resources and Parks Department could attend an upcoming Town Board meeting to explain how county zoning would work. Spoke said that he'd particularly want to know whether the county would use the Town's 2030 plan as guidance when making its decisions. Clerk Thompson added that the Board might also want to get feedback from municipal officials from other nearby towns (such as Elba and Hustisford) which have recently adopted county zoning. The county assisted the Town in drafting its original zoning regulations, so supposedly the county's and town's regulations are very similar. Spoke stated that the Town Board could also invite a consultant to attend an upcoming meeting to discuss possible services and the cost for such. Sup. Crave said that he's open to talking with a representative from Dodge County to see what the county has to offer, even though he is a little reluctant to consider adopting county zoning, since doing so would be a "lifetime decision." Following additional Board discussion, Spoke said that he would talk with Oleson to set up a time for him to attend an upcoming Town Board meeting specifically devoted to discussing county vs. town zoning going forward.

Items mentioned as agenda items for the Board's May monthly meeting included an update on dog licensing compliance, opening and possible acceptance of highway bids, review and possible acceptance of proposal from Kurt E. Keach LLC for designated 2019 highway work, amending of the 2019 town hall budget, review of annual meeting minutes, continued discussion regarding town vs. county zoning, and possible approval of an agreement with the City of Waterloo regarding snow removal and other road maintenance from Highway 19- Highway 89 and from Highway 89 to the county line.

The Board agreed to conduct its monthly May meeting on Thursday, May 16, 2019, at the Portland Town Hall beginning at 7:30 P.M.

In Treasurer Benninger's absence, Clerk Thompson reviewed the report Benninger had prepared and distributed and which indicated March receipts of \$809.83 and March checking account disbursements of \$43,801.72. With the addition of April receipts to April 8, 2019, of \$26,578.54, the balance in the money market account as of that date was \$159,517.56, and the balance in the checking account was \$1,584.83 for a combined total in both accounts of \$161,102.39. In addition, \$539.30 remains in the Town Computer Savings Account. Thompson added that she had received notification that the Town would be receiving an electronic funds transfer of \$8,450.30 on Monday, April 15, 2019, as its lottery credit payment.

Motion by Sup. Keach, seconded by Sup. Crave, to approve Treasurer Benninger's monthly financial report as distributed. Keach's motion carried 3-0 on a voice vote.

Motion by Sup. Crave, seconded by Sup. Keach, to authorize Clerk Thompson to pay all of the April bills presented. Crave's motion carried 3-0 on a voice vote.

The Board then reviewed the following correspondence received since the Board's March monthly meeting:

1. February Department activity report and EMS training report from Waterloo Fire & Rescue
2. Notification from Amy Nehls regarding possible reimbursement of costs incurred as a result of the recent flooding, as well as of the possibility of FEMA, PA, IA, or WDF funding for such flooding/damage plus "Volunteer Management During Emergencies and Disasters"
3. Quarterly contribution report from Department of Workforce Development for completion and submission, along with confirmation of receipt of submitted report
4. Notification from Charter Communications that Spectrum Mid-America, LLC (following an internal corporate reorganization) now holds the state-issued authority to operate the cable system in the Town (There was no change in control of the cable franchisee and there will be no change in the service received.)
5. Copy from General Engineering Company of electrical permit applications from Krissy Rathman and Robert Haseleu
6. Notification from Wisconsin Towns Association of the Town's 2019-2020 dues (\$841.00) due June 15
7. Notification of the April 17th meeting of the Dodge County Unit of the WTA
8. Notification from Columbia County Planning & Zoning Department that the Columbia County Board of Supervisors approved two identified amendments to the Columbia County Comprehensive Plan 2030 on March 20, 2019
9. Request from WTA for any Town examples of access roads or driveways built since 1996 and available for public use but which might not have been built to minimum road standards
10. University of Wisconsin-Extension Local Government Center regarding upcoming 2019 Town Officials workshops
11. Wisconsin Towns Association April 2019
12. 2017 Personal Property Value Report from DOR for completion and submission plus confirmation of receipt of submitted report
13. Certificate of liability insurance for Scott Construction, Inc. from Hausmann/Johnson Insurance
14. Confirmation from Nationwide of contributions received and invested in the Town's OBRA account
15. University of Wisconsin-Extension Local Government Center "Local Government Essentials"
16. Copy of letter sent by Attorney Strohschein to Attorney N. Charles Eggert re. Town resident's non-compliance with Town zoning regulations
17. Certificate of liability insurance for Zechzer Excavating Inc. from Richards Insurance of Columbus, LLC
18. April 2019 Columbus Fire Department report from Randall Koehn.

None of the Board members had anything additional to report at the time.

With no further business needing to be addressed, motion by Chr. Spoke, seconded by Sup. Crave, to adjourn. Spoke's motion carried 3-0 on a voice vote at 8:33 P.M.

APRIL BILLS APPROVED FOR PAYMENT

3610 We Energies	\$	56.06
3611 The Horton Group, Inc.		200.00
3612 Dodge County Unit of the WTA		25.00
3613 Lange Enterprises, Inc.		77.70
3614 Wisconsin Towns Association		28.00
3615 Debra Weihert		129.00

3616 Diane Dolan	70.00
3617 Ruby Kegler	80.00
3618 Kwik Trip	14.40
3619 Kwik Trip	18.61
3620 Schneider Printing, Inc.	80.00
3621 Neitzel Auto & Hardware LLC	44.97
3622 Chris Topel	132.84
3623 Mindelynn Crave	65.00
3624 Judy Stippich	131.10
3625 Wolf Paving & Excavating of Madison, Inc.	1,412.21
3626 United States Treasury	765.86
3627 Watertown Siding Company	425.00
3628 James A. Schleif	636.85
3629 Joseph Pantely	622.43
3630 City of Columbus	1,524.80
3631 General Engineering Company	198.00
3632 Dunneisen Excavating, LLC	187.00
3633 Hometown News Limited Partnership	19.64
3634 Zechzer Excavating, Inc.	10,000.00
3635 Advanced Disposal	758.07
3636 Waterloo Utilities	247.44
3637 Country Carpenter, LLC	2,377.49
3638 Wolf Paving & Excavating of Madison, Inc.	491.63
3639 MR Concrete LLC	1,760.00
3640 Kurt E. Keach	<u>441.26</u>

TOTAL: \$23,020.36

Nancy L. Thompson, Clerk