

DRAFT TOWN OF PORTLAND BOARD MEETING MINUTES

Wednesday, August 22, 2018

Portland Town Hall

7:30 P.M.

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

Members Present: Chairman Jeffrey Spoke, Supervisor Kurt Keach, Treasurer Carleen Benninger, and Clerk Nancy L. Thompson. Supervisor Thomas Crave arrived at 7:40 P.M.

Others Present during at least part of the meeting: Jack Dornik (Scott Construction), J. A. Taylor and Chris Blue (Fahrner Asphalt Sealers), Matt Rasmussen, Terry Gould, and Chris O'Brien (Courier correspondent).

Clerk Thompson verified that proper meeting notices had been posted at the three designated locations as required by law, delivered to the Courier office, submitted for inclusion in the Municipality Meeting section of the August 17, 2018, Watertown Daily Times, and posted on the Town's website.

Hearing no requested revisions to the posted agenda, motion by Sup. Keach, seconded by Chr. Spoke, to approve the agenda as posted. Keach's motion carried 2-0 on a voice vote.

Motion by Sup. Keach, seconded by Chr. Spoke, to approve the minutes of the July 19, 2018, regular Town Board meeting as printed. Keach's motion carried 2-0 on a voice vote.

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

Police liaison Weihert was not present to update the Board on current Town issues/concerns.

In the absence of Richard Yelk, Clerk Thompson reported that Yelk had issued the following permits since the Board's July monthly meeting:

Mike Sullivan	32x40 pole barn	\$20,000.00 (contingent on Sullivan's current garage being attached to his house within one year)
Bob Haseleu	50x104 pole shed	\$50,000.00.

Chr. Spoke then opened the following sealed bids received for chip sealing Austin Road, half of Sullivan Road, and the south half of Yerges Road:

Scott Construction--

Sullivan Road \$14,616.00

Austin Road \$42,235.00 (for the company's recommended double application; otherwise the amount would be cut in half)

Yerges Road \$23,690.00
+ \$27,738.00 (additional cost for following company's recommendation
regarding needed work on the road)

Fahrner Asphalt Sealers--

Sullivan Road \$18,461.85
Austin Road \$28,426.74
Yerges Road \$29,520.59.

Following the Board's review and comparison of the submitted bids, motion by Sup. Crave, seconded by Sup. Keach, to accept Scott Construction's bids contingent on the Town having sufficient funds to pay for those projects. Crave's motion carried 3-0 on a voice vote.

Chr. Spoke asked the Scott Construction representative how long the company would honor those accepted bid amounts, since Spoke noted that the Town had received a recent "surprise" (increased cost for the Sullivan Road paving overlay and shouldering project due to an error in the bid specs) which limited the amount of highway funds available yet during 2018 . Mr.Dornik responded that the bids would probably be honored until next spring (April/May unless costs increased substantially in which case the amounts would probably be somewhat higher). Responding to another of Chr. Spoke's questions, Dornik stated that his company could fit the proposed work into its work schedule yet this year--that the company usually works on projects until the end of October. Sup. Keach questioned whether chipsealing was appropriate for Yerges Road considering its condition. Spoke then told Dornik that he would notify him the next day of the Board's decision on whether or not to go ahead with any or all of the projects bid.

Terry Gould then addressed the Board regarding his interest in building an addition onto his garage at N824 Lake View Drive, Reeseville. He noted that he had moved to the Town of Portland last December and has spoken with Richard Yelk regarding his proposed addition but has not heard back from him regarding the Town's required setback regulations, etc. As a result, Gould sought Board information on the procedure he needed to follow to go forward with his plan. Gould noted that he owns a 5th wheel travel trailer plus a boat and "other stuff" and is aware of the Board's past concern over the previous homeowner's parking of a truck in that area. He explained several possibilities for increased storage space-noting that the most economical way was for him to add onto his existing garage. He added that he intends to have his property surveyed before doing anything.

The Board reviewed pictures Gould provided of his property and neighboring properties plus proposed setback and height measurements and determined that Gould's proposal appears to comply with all Town regulations, so the Board encouraged Gould to contact Richard Yelk for the needed building permit. Chr. Spoke said that he would seek clarification from Yelk regarding his questioning of whether Gould's proposal complies with all Town regulations.

The Board then discussed upcoming snow removal in the Town, since the Town's designated contractor has resigned . Matt Rasmussen was present and expressed interest in "finishing out" the previous contractor's contract. Rasmussen said he has done snow removal for a number of years, with most of those years being with the Town's contractor who recently resigned. He said that he has added an Oshkosh truck and loader, intends to purchase and haul his own screenings, would continue with a fuel surcharge, and has just bought two trucks from the previous contractor and thus would start with three or four trucks. Rasmussen noted that he has expressed interest in building a shed on his property to

Richard Yelk--adding that he has plenty of room to do so on his 18.4-acre property. Chr. Spoke asked what length of contract Rasmussen sought and whether he would be willing to lock in his proposed prices if the Board approved a 4-year contract with him. Following additional discussion, motion by Chr. Spoke, seconded by Sup. Keach, to hire MR Concrete LLC for snow removal services for the next four years contingent on Rasmussen's drafting of a four-year contract as discussed and providing a certificate of insurance to Clerk Thompson. If he does that, the Board would then sign the contract at its September monthly meeting. Spoke's motion carried 3-0 on a voice vote.

Chr. Spoke noted that he had spoken with Gordon Yelk regarding his non-compliance with the Town's Undesirable Object Ordinance. Yelk told Spoke that he's working on bringing his property into compliance but has been too busy to get everything done. Spoke indicated that he would continue to monitor Yelk's progress and if progress does not continue that the Board could contact the DNR regarding the situation and/or the Town's lawyer. Sup. Crave reported that he still needed to call Brad Stiemke regarding his continued non-compliance with the Town's Undesirable Object Ordinance. It was also noted that the Hoffman property has been brought into compliance.

The Board's first item of new business was action on Northcrest Dairy's conditional use permit livestock siting expansion application. The Board had received a copy of the minutes from the Plan Commission's August 2nd public hearing as well as of the meeting at which the Plan Commission had voted 4-0 to recommend approval of Northcrest Dairy's requested conditional use permit. Sup. Crave, a member of the Plan Commission, noted that the application meets all the requirements of the livestock siting "law" and that he didn't see "any red flags." He also said that Joe Giebel from Dodge County's Land Resources and Parks Commission presented the county's staff report on the application at the Plan Commission meeting. (The Town Board had hired Dodge County Land Resources and Parks Commission to review the application for completeness and compliance with ATCP 51 and the Town's Zoning Ordinance.) Giebel noted that "based on the information submitted with the application, the Dodge County staff has determined that the Livestock Facility Siting Application submitted by Northcrest Farms LLC is complete and meets the applicable requirements set forth in Wisconsin Administrative Code ATCP 512."

Motion by Sup. Crave, seconded by Sup. Keach, to approve issuance of the conditional use permit requested by Northcrest Dairy to expand its current livestock facilities up to 998 animal units. Crave's motion carried 2-0-1, with Chr. Spoke abstaining from the vote.

The Board then reviewed a proposed two-year assessment contract from Gardiner Appraisal Service. After brief discussion, the Board asked Clerk Thompson to request that a representative from Gardiner Appraisal Service attend the Board's September meeting to answer questions/address concerns prior to the Board taking any action on the proposed contract.

After estimating end-of-the-year highway expenditures for mowing, brushing, Yerges and Torpy Road patches, and signs and their installation and then comparing that total to budgeted funds available, the Board on a motion by Sup. Crave, seconded by Sup. Keach, and carried 3-0 on a voice vote approved Torpy Road wedging and surfacing (\$13,959.00) to be done by Wolf Paving at the same time as work the company has under contract with Crave Farm) and Yerges Road wedging and surfacing (\$16,377.00--also done by Wolf Paving. Crave's motion carried 3-0 on a voice vote. With that motion, the proposed chip sealing of Yerges, Sullivan, and Austin Roads was postponed until the spring of 2019.

Motion by Sup. Crave, seconded by Sup. Keach, to approve Budget Resolution 2018-1 which specifies the following:

Increasing Insurance Expenditures from \$6,000.00 to \$6,200.00
Increasing Other Financing Uses from \$0.00 to \$2,500.00 AND
Decreasing Snow Removal Expenditures from \$60,000.00 to \$57,300.00.

Crave's motion carried 3-0 on a voice vote.

Motion by Sup. Keach, seconded by Sup. Crave, to approve issuance of an operator's license to Jeige Sand effective August 23, 2018, through June 30, 2019. Keach's motion carried 3-0 on a voice vote.

The Board then briefly discussed the volume of recyclable materials taken to the Town's recycling site by Town businesses and whether such businesses should be charged for such in the future. Keach reported that the Town's recycling site attendant Joe Pantely had talked with a representative of Advanced Disposal and that after doing so Pantely recommended that a 4th dumpster be brought in to provide space for those recyclables. Advanced Disposal will not charge for the dumpster--will only charge the dumping fee when it's dumped. The Board also expressed interest in possibly developing a future survey to determine Town residents' interest in curbside pickup.

After brief discussion, motion by Sup. Crave, seconded by Sup. Keach, to approve a Town of Portland Transportation Resolution (a slight revision of one proposed by the Wisconsin Towns Association) which "urges Governor Scott Walker and the Wisconsin Legislature to Just Fix It and agree upon a long term, sustainable solution that includes a responsible level of bonding and adjusts our user fees to adequately fund Wisconsin's transportation system." Clerk Thompson is to send a copy of such to Representative John Jagler, Senator Scott Fitzgerald, Governor Scott Walker, and the Wisconsin Towns Association. Crave's motion carried 3-0 on a voice vote.

Items mentioned for inclusion on the September Board agenda included action on a snow removal contract, discussion with the Town's current assessor and possible approval of a new maintenance contract, and establishment of the 2019 budget calendar. The September meeting will be conducted on September 20, 2018, at the Portland Town Hall beginning at 7:30 P.M.

In her monthly financial report, Treasurer Benninger reported July receipts of \$34,539.16 and July checking account disbursements of \$15,159.18. With the addition of August receipts to August 18, 2018, of \$1,417.40, the balance in the money market account as of that date was \$157,413.12, and the balance in the checking account was \$967.81 for a combined total in both accounts of \$158,380.93. In addition, \$530.61 remains in the Town Computer Savings account. Benninger also noted that she had just received the July settlement of \$74,600.96 from Dodge County.

Motion by Sup. Keach, seconded by Chr. Spoke, to approve Treasurer Benninger's report as given. Keach's motion carried 3-0 on a voice vote.

Motion by Chr. Spoke, seconded by Sup. Crave, to authorize Clerk Thompson to pay all of the August bills presented. Spoke's motion carried 3-0 on a voice vote. Thompson also reminded Board members to submit their third quarter bills to her by Friday, September 14.

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

1. Notification from Dodge County Land Resources and Parks Department that the Dodge County Board had voted on July 17, 2018, to approve the Town's resolution to rezone referenced land owned by Daniel and Lori Schey from A-1 to A-2
2. Unaudited Investment Activity Report April 1, 2018, to June 30, 2018, and Financial Activity Confirmation Statement for the same time period from Nationwide
3. Notification from the Columbia County Planning and Zoning Department that on July 18, 2018, the Columbia County Board of Supervisors had approved designated amendments to the Columbia County Comprehensive Plan 2030
4. Special Assessments form for completion and submission to Guaranty Title Services, Inc. regarding property currently owned by Michael Bellomo to be purchased by Patrick and Tonya Buchanan
5. Request from Rockwell Appraisal Company for the zoning code and description for N1994 River Oaks Road
6. Wisconsin Towns Association August 2018
7. "Act 67 CUP Analysis" from the Wisconsin Towns Association
8. New building number assignment from Dodge County Land Resources and Parks Department for Nate and Tiffany Loeffler (N919 Witt Lane) and Robert Haseleu (N847 Dalman Road)
9. Registration brochure from University of Wisconsin-Extension Local Government Center for the 2018 Fall Town & Village workshops
10. Letter and associated materials from Scott Koehnke regarding an approved wildlife pond
Robert Weiland plans to construct near Mud Creek in the Town of Portland
11. Copy of certificate of liability insurance from R & R Insurance for Skalitzky Sod Farms LLC Kurt K. & Kyle H. Skalitzky
12. Letter and proposed two-year assessment contract from Gardiner Appraisal Service, LLC
13. LifeStar monthly report from Linda Henning
14. Certificate of liability insurance from Harms Insurance Group for Jerry Hepp Excavating Inc.
15. Workers Comp Audit form for completion and return to Bitco Insurance Companies
16. Listing from General Engineering Company of 2018 Town building permit applications thus far received
17. Preliminary estimate of January 1, 2018, Town population (1,090 of which approximately 864 are estimated to be of voting age) from Demographic Services Center--represents an addition of 11 persons or 1.02% since the 2010 census-- plus "Municipal Population Estimate Challenge Form" and "DOA Local Government Report" Volume 15, # 2/August 2018
18. Notification from Wisconsin Towns Association of upcoming ACE meetings
19. Monthly EMS and fire department training report and July department activity report from Waterloo Fire Department
20. Certificate of liability insurance from Richards Insurance of Columbus, LLC for Zechzer Excavating Inc.
21. 2018 State Apportionment Report/County Equalization Report, Assessed/Sales Ratio Analysis, and Fielded Sales Summary Report from Wisconsin Department of Revenue
22. Statement of Real Property Status form from Chicago Title for completion regarding Daniel G. McCarthy property at N2378 Mulvaney Lane
23. Telephone call from concerned River Oaks resident regarding neighboring property owner's unsightly property creating an alleged fire hazard and reduction in the caller's property value
24. Notification from the State of Wisconsin Department of Revenue of the Town's shared revenue distribution (\$3,478.44) on July 23, 2018, with the balance due to be distributed on November 19, 2018.

Chr. Spoke reported that he had followed up on the ditch issue raised by a Town property owner earlier in the year. According to the WTA attorney, the Town is not responsible for resolving that issue. Spoke

has shared that information with the concerned property owner. (The Town Board could adopt an ordinance covering such situation if it so chose.)

Sup. Keach noted faded fire numbers throughout the Town and offered to drive around and list those numbers as an aid to the Board when it prepares its 2019 budget allocations.

With no further business needing to be addressed at the time, motion by Sup. Crave, seconded by Chr. Spoke, to adjourn. Crave's motion carried 3-0 on a voice vote at 9:25 P.M.

AUGUST BILLS APPROVED FOR PAYMENT

3424 City of Waterloo	\$ 2,349.44
3425 Columbus Rural Fire Group	422.37
3426 Reeseville Fire Department	1,029.53
3427 Joseph Pantely	460.96
3428 Diane Dolan	26.00
3429 Mindelyn Crave	68.00
3430 City of Waterloo	387.90
3431 Debra Weihert	173.25
3432 Judy Stippich	142.53
3433 Chris Topel	139.25
3434 Ruby Kegler	34.00
3435 Terry Wermuth	48.00
3436 Hometown News Limited Partnership	48.05
3437 VOID	
3438 Advanced Disposal	926.76
3439 Waterloo Utilities	243.92
3440 USPS	20.00
3441 Roxanna Weiner	34.00
3442 Wolf Paving & Excavating of Madison, Inc.	109,340.61
3443 Jerry W. Kohls	161.85
3444 Dodge County Treasurer	<u>2,318.88</u>
TOTAL:	\$118,375.30

Nancy L. Thompson ,Clerk