

## **TOWN OF PORTLAND BOARD MEETING**

**Thursday, April 15, 2021**

**Portland Town Hall**

**7:30 P.M.**

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

Town Board Members Present: Town Chairman Jeffrey Spoke, Supervisor Kurt Keach, Supervisor Thomas Crave, Treasurer Carleen Benninger, and Clerk Nancy L. Thompson.

Others Present (for at least part of the meeting): Joe Jaehnke, Glenn Wolff, Fred Gay, Deb Gay, Ben Gorder, and Jack Dornik (Scott Construction Inc.).

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, and posted on the Town's website.

Chr. Spoke requested that New Business items A and B (rezoning and conditional use applications filed by F&D LLC) be moved up after Public Input. Motion by Chr. Spoke, seconded by Sup. Crave, to approve the agenda with that "order" revision. Spoke's motion carried 3-0 on a voice vote.

Motion by Sup. Keach, seconded by Sup. Crave, to approve the minutes of the March 18, 2021, regular Town Board meeting as prepared by Clerk Thompson. Keach's motion carried 3-0 on a voice vote.

During the Public Input section of the meeting, Glenn Wolff presented a two-year contract proposal for Town of Portland mowing, along with a copy of his certificate of insurance for Board consideration. Chr. Spoke noted that the proposal would be included in the agenda for the Board's May monthly meeting.

The Board then addressed an application submitted by F&D LLC to rezone 15 acres located across from N2073 County Road II (tax parcel 036-0913-1022-000-) from A-1 to A-2, with the remnant parcel to remain A-1 Farmland Preservation. The Town's Plan Commission had conducted a public hearing on the application on April 7, 2021, and at a meeting following the closing of that public hearing had ultimately voted 5-0 to recommend town board approval of the Gay application. Following minimal discussion, motion by Sup. Keach, seconded by Sup. Crave, to approve F&D LLC's requested rezoning of 15 acres from A-1 to A-2, with the remnant parcel remaining A-1 Farmland Preservation. Keach's motion carried 3-0 on a voice vote. Clerk Thompson will submit the required materials to Jeff Berres for consideration by the Dodge County Board of Supervisors.

The Board then addressed an application from F&D LLC for a conditional use permit to build a single-family home on the 15 acres that were the subject of the previous rezoning agenda item. Board members asked clarifying questions regarding the proposed driveway to the new home and the potential need for an address sign for that location and noted the need for a CSM. Following brief discussion, motion by Sup. Crave, seconded by Sup. Keach, to approve issuance of a conditional use

permit to build a single-family home on the 15-acre lot to be created across from N2073 County Road II contingent on the following:

1. The Dodge County Board of Supervisors approves the requested rezoning of the 15 acres from A-1 to A-2.
2. The applicant shall submit and obtain approval of a proposed CSM from Dodge County, with language placed on that CSM restricting further division of the parent parcel or the new lot created per Section 6.6 (5) of the Town’s zoning ordinance. (The 15-acre parcel created exhausts all of the “development rights” for the parent lot, thereby allowing no further land division.)
3. The applicant shall provide a copy of the recorded certified survey map to the Town Clerk within (10) days after the certified survey map is recorded.
4. The property owner shall obtain a driveway permit from Dodge County for the new driveway to the proposed house.
5. The property owner will need approval of a septic system from Dodge County Public Health prior to a land use permit being issued.
6. All Town of Portland zoning ordinance regulations must be followed when building the home.

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

The following bids received for potential 2021 Town road maintenance projects were then opened and reviewed:

Fahrner Asphalt Sealers LLC: Chip sealing of stated roads (no cold mix included) for a total project value if all accepted of \$78,355.00 and

Scott Construction Inc.: Chip sealing and cold mix asphalt and wedging as indicated with a total project value if all accepted of \$139,170.00

	<u>Fahrner</u>	<u>Scott Construction</u>
Behling Ln (Ct-T to end)	\$ 6,692.00	\$ 5,788.00
Youker Road north (Hwy 19 to end)	5,170.00	5,169.00
Youker Rd south (Hwy 19 to Townline)	10,676.00	41,495.00 inc. cold mix asphalt
Glory Rd (Stark to Tri County)	21,092.00	24,500.00 inc. cold mix asphalt+ wedge over culvert
Dalman Rd (Torpy to end & Dalman east of Ct-I)	21,462.00	34,725.00 inc. cold mix asphalt + wedging
Ridge Rd (Cr-T to end)	4,883.00	15,129.00 inc. cold mix asphalt
Baker Rd (Quamme to Townline)	8,380.00	8,204.00
Schulz Road (Ct-T to N1604)		2,660.00
Recycling site road		1,500.00

In noting that the bids from Scott Construction without consideration of the costs for the wedging and cold mix were cheaper than those from Fahrner and adding that he believes that the addition of cold mix will strengthen the roads, Chr. Spoke moved to accept Scott Construction’s bids, with the understanding that the Board might have to tweak the accepted work a bit if budgeted funds are insufficient to cover all projects. Sup. Crave seconded Spoke’s motion and it carried 3-0 on a voice vote. In response to Board member hope that the projects would get completed before school begins again in

the fall, Dornik stated that the Town should notify him when the culverts were in and work could commence. He thought that the work would probably be done in July.

Clerk Thompson reported that since the Board's March meeting, one permit had been issued to Tammy Leasure for siding of her home at an estimated project value of \$10,300.00.

In updating the Board on the tower project, Chr. Spoke said that as far as he knows, the tower has been completed and that the project would be considered finished whenever power becomes available there. He added that the fence around the tower was moved back as far as possible from the recycling site area.

Ben Gorder then addressed the Board. He showed pictures on his phone of what he's been doing to clean up his property. He said that he had talked with a woman from the DNR who said she'd be willing to work with him, that he had also talked with Webers Tires which expressed interest in his better used tires, and that he had shut down his tire sale on Facebook. Liberty tires quoted him a cost of approximately \$3,000.00 (which he said he doesn't have) for pickup of the tires. He said that he has 300-500 tires stacked nicely in the woods and wondered if he could just fence them all in or just leave them there. (Chr. Spoke responded that what he keeps inside of his buildings is completely up to him but that he can't store tires, furniture, etc. outside in a residential area.) Gorder closed by stating that at one time he wanted to make a go-cart track in the woods, that he realizes he has been 100% at fault, and that he has no plans on leaving (he's been there twelve years), and is two months ahead in paying his mortgage.

Chr. Spoke noted that the Board had spoken with the Town's attorney and is willing to push back Gorder's scheduled court date of April 27th 30 days, with the understanding that all items needing to be gone must be gone by then (May 27). Gorder responded that he would provide additional pictures for Board member review in a week.

Replacement of the town hall sign was the last item of Unfinished Business on the Board's agenda. Sup. Keach reported that he had heard nothing more from the company he had initially contacted. Clerk Thompson reported that she and her husband had met with the owner of Busch's Signs and Designs in Verona and had received a number of designs/proposals from that owner. She displayed six possible designs, along with the product from which the sign would be made, and the cost for each. Following discussion, Sup. Crave moved to purchase a 23"x47" 1 1/2" thick 15 lb. high density urethane dimensionally engraved single-sided town hall sign (Design 1A ) at a cost of \$940.00, with an initial down payment of \$470.00 and the balance due upon completion. Sup. Keach seconded Crave's motion and it carried 3-0 on a voice vote.

Clerk Thompson next reported that she had received an incomplete operator's license application, along with the incorrect fee for such and outdated proof of training. She added that she had informed the applicant of those issues but had not heard back from her. She suggested that the Board either take no action on the application at this time or authorize her to issue said license upon receipt of all required forms, proof of training, and fees. Motion by Sup. Crave, seconded by Sup. Keach, to authorize Thompson to issue the requested operator's license upon receipt of all required items. Crave's motion carried 3-0 on a voice vote.

Chr. Spoke noted that he had called each of the individuals who Treasurer Benninger had reported to him as being out of compliance with the Town's dog licensing requirements. Spoke said that he found

out that Annie Buss no longer lives in the Town of Portland. Nick Finkler, Denise Hauptli, Samantha Hensler, Heather Lester, and Danielle Schiedlack indicated that they would be sending the needed rabies certificates, late fees, and/or other needed information very soon. Spoke also left a message on the answering machines of Jennie Fox and Leslie Hunt and learned that the phone number provided for Michelle Kidd is no longer in service. Any persons still out of compliance by the Board's May monthly meeting will be turned over to the Town's attorney for action.

Items mentioned for inclusion in the agenda for the Board's May monthly meeting included the mowing contract, update and possible action on the River Oaks "junk" issue, Novak Lane snow plowing agreement with the Town of Waterloo, a rezoning application, the presentation of submitted 2021 licensing applications, replacement of culverts on Baker and Dalman Roads, appointment of a member to the Town's Board of Appeals, and action on dog licensing non-compliance, if needed. Thompson added that the Board might need to meet and immediately adjourn for its initial Board of Review meeting prior to that May monthly meeting.

Treasurer Benninger then presented her March financial report showing March monthly receipts of \$3,814.08 and March monthly expenditures of \$56,740.62. With the addition of April receipts as of April 13<sup>th</sup> of \$37,436.49, the balance in the savings account as of that date was \$176,929.96. and the balance in the checking account was \$1,617.12 for a combined total in both accounts of \$178,547.08. In addition, \$553.14 remains in the Town Computer Savings Account.

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

Motion by Chr. Spoke, seconded by Sup. Keach, to authorize payment of the monthly bills as presented by Clerk Thompson. Spoke's motion carried 3-0 on a voice vote.

The Board then reviewed the listing of correspondence received for the month of April:

1. Solar and electric service upgrade application from Mathew Breselow (Hubbleton Road) and siding application from Tammy Leasure (River Oaks Road) submitted to General Engineering Company
2. Notification that the Dodge County Board of Supervisors on March 17<sup>th</sup> had approved the Town's resolution to rezone approximately 6.5 acres from A-1 Farmland Preservation to A-2 General Ag as requested by Crave Family Partnership
3. Certificate of liability insurance for Dunneisen Excavating LLC from R & S Insurance
4. Special Assessment certificate request from Clear Title Madison, LLC regarding Richard and Roxine Gorder's Hickory Lane property
5. Quarterly unemployment contribution report for completion and submission to the Department of Workforce Development
6. Notification from the Wisconsin Towns Association of the Town's 2021-2022 dues amount (\$881.41) due June 15, 2021, and of the April 21<sup>st</sup> meeting of the Dodge County Unit
7. E-mail from Russ Kottke regarding upcoming meeting of the Dodge County Executive Committee concerning economic development/issues
8. Letter from Emily Jeglum regarding the River Oaks tire situation
9. Notification from the Columbia County Planning and Zoning Department that the Columbia County Board of Supervisors had approved on March 17, 2021, amendments to the county's Comprehensive Plan 2030 to include two amendments requested by Colwis LLC

10. Request from Nate Olson for 2020 Town permit data
11. Updated insurance renewal information for Wildwood Barn & Cottage LLC from Tiffany Loeffler
12. Notification from Patti Hilker of the county dog license payment (\$839.73) and the Town's lottery settlement (\$8,297.70)
13. Kory Anderson's review report of the Gay rezoning and conditional use permit applications
14. Confirmation from Nationwide of \$1,734.04 contributions received and invested on March 25th
15. Wisconsin Towns Association April 2021
16. March Columbus Area EMS report from Christopher Orange
17. Request from KerberRose Technology for an updated Town Sales and Use Tax Exemption certificate
18. Notification from Eleanor Schulze of the April 22<sup>nd</sup> meeting of the Columbus Rural Fire Group
19. Legislative Audit Bureau survey on election administration
20. Confirmation from Dodge County Land Resources and Parks Department that W12250 Reuster Lane has been discontinued and replaced with W12250 Rocky Road in all Dodge County databases plus notification of new building number assignments for 5 DNR addresses
21. March Columbus Fire Department report and "2020 Annual Report" from Randall Koehn
22. Open records request from Kim Light (Badgerland Disposal) regarding Town curbside refuse recycling services
23. Copy from Dodge County Land Resources and Parks Department of approved land use permit for Karen Eilenfeldt for ag ditch cleanout.

Chr. Spoke noted that a lot of shouldering needs to be done in the Town but that might need to be postponed until next year.

With no other business needing to be addressed by the Board at the time, motion by Chr. Spoke, seconded by Sup. Keach, to adjourn. Spoke's motion carried 3-0 on a voice vote at 8:55 P.M.

### **APRIL BILLS APPROVED FOR PAYMENT**

4101 We Energies	\$ 39.65
4102 The Horton Group, Inc.	200.00
4103 Ralph Finkler	25.00
4104 Patricia Suttle	5.00
4105 GFL Environmental	433.30
4106 Joseph Pantely	439.29
4107 Ruby Kegler	65.00
4108 Patsy Epstein	100.00
4109 Schneider Printing	107.60
4110 APG of Southern Wisconsin	32.63
4111 United States Treasury	541.06
4112 Judy Stippich	95.00
4113 Chris Topel	158.00
4114 Debra Weihert	183.00
4115 City of Columbus	1,447.68
4116 Waterloo Utilities	282.06
4117 General Engineering Company	405.00
4118 Wolf Paving & Excavating of Madison, Inc.	515.98

4119 Crosscut Services, LLC	\$ 2,500.00
4120 USPS	33.00
4121 Kurt E. Keach, LLC	2,695.00
4122 Wolf Paving & Excavating of Madison, Inc.	175.08
4123 Busch's Signs & Designs	470.00
4124 General Engineering Company	<u>125.00</u>
TOTAL:	\$ 11,073.33

Nancy L. Thompson, Clerk