

# **TOWN OF PORTLAND BOARD MEETING MINUTES**

**Thursday, March 14, 2019**

**Portland Town Hall**

**7:30 P.M.**

Town Chairperson Jeffrey Spoke called the Town of Portland Board's regular March 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, Treasurer Carleen Benninger, and Clerk Nancy L. Thompson.

Others Present (for at least part of the meeting): Glenn Wolff, Matt Rasmussen, and Richard Yelk.

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 March 8 Watertown Daily Times, and posted on the Town's website.

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 Sup. Crave, to approve the minutes of the February 20, 2019, regular Town Board meeting as printed. Keach's motion carried 3-0 on a voice vote.

During the Public Input section of the meeting, Matt Rasmussen asked questions regarding his snow removal contract. The Board and he agreed that the contract language will need to be clarified prior to the beginning of the next snow removal season.

Richard Yelk reported that he had issued a building permit to Chris Palmer for a 1,600 square feet remodeling of his basement at an approximate cost of \$50,000.00.

Chr. Spoke reported that he had contacted the Dodge County Highway Department regarding roadside mowing and learned that the county had no interest in doing such work for the Town due to lack of manpower. Glenn Wolff (Wolff Sand & Gravel, LLC) then presented the Board with two contract proposals for the Town's roadside mowing. He also explained the equipment he has for doing that work, shared some pictures of the equipment he uses, and noted that he has mowed for both the Town of Waterloo and the Town of Lake Mills. One proposal was an hourly contract: \$60.00 per hour for tractor and mower and \$80.00 per hour for tractor and brushcutter/mower. The other proposal was a per mowing contract based on an approximate 50 hours needed to mow the Town once: \$3,200.00 for the 1st round of mowing (typically done in June) and \$3,200.00 for the second round of mowing (typically done after Labor Day). He added that if the Board chose to contract with him that he would like a two-year (2019-2020) contract.

Sup. Keach noted that he had received a favorable recommendation regarding Wolff's mowing from a Town of Waterloo Board member. After the Board briefly discussed Wolff's two proposals, Sup. Crave moved that the Board contract with Wolff Sand & Gravel, LLC for 2019-2020 on an hourly basis.

Sup. Keach seconded that motion and it carried 3-0 on a voice vote. Wolff indicated that he would see that Clerk Thompson was sent a copy of his certificate of insurance.

Motion by Sup. Crave, seconded by Sup. Keach, to approve the 2019 Adams-Columbia Electric Cooperative Consent form as presented. Crave's motion carried 3-0 on a voice vote. (The consent form, which is typically approved annually, is a "blanket highway permit" for work done along Town roads and allows the company to connect new services in the area quickly when not much advance notice is given. As part of that approved permit, the Board will receive a sketch of work proposed to be done in the area. Adams-Columbia Electric Cooperative also indemnifies the Town and "holds it harmless regarding any loss or injury arising out of the construction, operation, maintenance, or extension pertaining to any of the construction authorized in the consent."

In addressing the Town Board's first item of New Business, motion by Chr. Spoke, seconded by Sup. Crave, to provide the same level of Town support as provided in 2018 for Town youth who take summer swimming lessons at the Waterloo School District pool: ie. paying \$24.00 (40%) per session for qualifying day lessons and \$12.00 (40%) per session for qualifying night lessons for a maximum of two qualifying sessions per qualifying individual. Qualifying individuals are Town residents who were at least age four on September 1, 2018, and who will not be older than age nineteen on June 1, 2019. No support will be provided for tot lessons or for lifeguard or guard start classes. Spoke's motion carried 3-0 on a voice vote.

The Board then discussed a minor land division letter of intent submitted to Dodge County Land Resources and Parks Department by Scott McNicol to allow a land transfer of approximately 5 acres on Hughes Road from Martha Gay to himself. McNicol's application indicated that the proposed use for the transferred acreage is for "agricultural use only--no residential structures" and included a request to release a restriction placed on the CSM for that land in July of 2004 which indicated that the two lots formed then "shall not be further subdivided and that Lot 2 (containing the 5 acres to be transferred) was intended for agricultural and open space use only and no residential structures shall be constructed on it." Motion by Chr. Spoke, seconded by Sup. Crave, to recommend approval to Dodge County Land Resources and Parks Department of McNicol's request to release the restriction on the CSM to allow the requested land transfer of approximately 5 acres on Hughes Road from Martha Gay to himself. Spoke's motion carried 3-0 on a voice vote.

The Board agreed to "run" all Town roads on Wednesday, April 3, 2019, to identify possible 2019 road maintenance projects and any non-compliance with the Town's zoning regulations. Board members will meet/begin at W11550 Torpy Road at 3:00 P.M.

The Board chose to seek no change in the Town's current recycling/solid waste service contractor at this time but instead to wait to consider doing so at the next contract renewal time.

Treasurer Benninger reported that there are quite a few Town residents who have not licensed their dogs yet. The Board asked Benninger to notify all such individuals that such licensing must be completed before April 1, 2019, to avoid a late licensing penalty of \$25.00 being charged.

The Board then briefly discussed some major road situations currently facing the Town. There are many potholes in need of being filled and concern was expressed over how to move the amount of patching materials needed. Sup. Keach expressed support for the Town purchasing a small utility tractor to use for loading and moving cold mix and for use on other Town projects. He felt such tractor could be

purchased for \$10,000.00-\$15,000.00 and could be stored in the shed at the Town recycling site. Board members noted that the Town would incur additional costs (insurance, maintenance, etc.) with such purchase and that no funds had been budgeted for such. Following discussion of whether the Town should continue to do much work by itself OR contract with someone else to do such work, the Board decided to continue doing as much work in house as possible this year but to keep track of the hours/costs spent doing so as an aid in determining return on investment with the possible future purchase of equipment and ultimately in determining the direction the Board should go in the future.

The Board then reviewed information Richard Yelk had secured from General Engineering Company regarding inspections the company currently does for the Town, additional inspections the company could do, and the costs for such. Clerk Thompson also distributed a copy of a letter the Town had received from ISO regarding its "building code effectiveness grading schedule program" which began in 1995. The company's analysis of code enforcement in the Town was Class 5 out of a 1-10 classification, with Class 1 representing excellent code enforcement and adoption efforts. The letter also indicated that insurers may use the BCEGS classification to help them determine premium credits. After brief discussion, the Board asked Yelk to talk with General Engineering personnel to learn the minimum level of inspections required by state code and to report his findings at the Board's April monthly meeting for possible action.

Motion by Sup. Keach, seconded by Sup. Crave, to recommend to Dodge County Land Resources and Parks Department approval of its proposed amendments to Dodge County's Shoreland Protection Ordinance. Keach's motion carried 3-0 on a voice vote.

Items requested for placement on the agenda for the Board's April monthly meeting included determination of 2019 road maintenance projects and authorization to advertise for bids for such, report on mandated state inspections, update on Town residents' compliance with the Town's dog licensing and zoning ordinance regulations, and initial discussion concerning the direction the Town should take in the future regarding zoning and land division issues.

Due to the Board's regularly-scheduled April meeting date falling on Maundy Thursday, the Board decided to conduct its April monthly meeting a week earlier than usual--on April 11, 2019, at the Portland Town Hall beginning at 7:30 P.M.

Treasurer Benninger then reported February receipts of \$207,164.90, February checking account disbursements of \$416,994.74, a bank money market account service charge of \$5.05, and a direct withdrawal by Dodge County of \$199,664.91 for its February tax settlement. With the addition of March receipts thus far of \$151.00, the balance in the money market account as of March 14, 2019, was \$176,780.19, and the balance in the checking account was \$886.55 for a combined total in both accounts of \$177,666.74. In addition, \$536.19 remains in the Town Computer Savings Account.

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

Motion by Sup. Keach, seconded by Sup. Crave, to authorize Clerk Thompson to pay all of the March bills presented as well as the April 3rd election workers and the invoice from the Horton Group, Inc. for the Town's fidelity bond. Keach's motion carried 3-0 on a voice vote.

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

1. Copy of letter from Mike Fehrenbach to Chief Randall Koehn indicating that an audit of the Columbus Fire Department conducted on 2/19/2019 indicated that the Department is in substantial compliance with the requirements of the statutes and administrative rules for the State of Wisconsin 2% fire dues program
2. Copy of e-mail from Karen Boyd to Chr. Spoke requesting notification of any 2019 road projects that might interfere with a PLSS Monument
3. Copy of land use permit issued by Dodge County Land Resources and Parks Department to Peter A. Medenwaldt for use at N1972 River Oaks Road
4. Request from Nate Olson for 2018 construction permit information for submission to Jefferson County Economic Development Corporation and Thrive Economic Development for tracking economic performance in Dodge and Jefferson counties
5. Notification from Dodge County Land Resources and Parks Department of proposed amendments to the Dodge County Shoreland Protection Ordinance and of the public hearing on such
6. Notification from Dane County Planning & Development that recent amendments to the Town of Middleton Comprehensive Plan have been incorporated into the Dane County Comprehensive Plan
7. Request from Waterloo School District for the amount the Town will contribute on behalf of its residents toward the cost of summer swimming lessons
8. January and February reports from Chris Orange to Columbus Area EMS District Board members
9. Building inspection fee schedule/information from General Engineering Company
10. Information from Transportation Information Center regarding upcoming "Work Zone and Flagger Safety" workshops
11. Information from Nationwide regarding available Town options due to the planned change to the Guaranteed Minimum Interest Rate of the fixed annuity contract available in the plan
12. Completed self-certification submitted by Columbus Fire Chief Randall Koehn for 2% dues
13. Minor land division letter of intent submitted by Scott McNicol to Dodge County Land Resources and Parks Department for property on Hughes road which he desires to have transferred from Martha Gay to him
14. February 2018 Columbus Fire Department report and "Columbus Fire Department 2018 Annual Report" from Randall Koehn
15. Wisconsin Towns Association March 2019
16. Lange Enterprises of Wisconsin regarding high water signs and weight limit signs spin alerts
17. Notification from Wisconsin DNR that the 2019 Forest Crop Law and Managed Forest Law Master Lists of lands enrolled as of January 1, 2019, are available on its website
18. Materials from Construction Business group summarizing both state and federal wage and labor laws that might affect the Town's construction projects plus an offer to help clarify any questions or issues regarding general labor laws, bid laws, or federal prevailing wage laws
19. DMA regarding FEMA's Public Assistance Grants portal
20. ISO regarding the Building Code Effectiveness Grading Schedule Program
21. Listing from General Engineering Company of 2019 Town building permit applications thus far received
22. Information from Amy Nehls regarding potential flooding and source(s) for possible needed sandbags
23. Certificate of liability insurance from Acuity for Neal B. Setz DBA Prideworks.

Chr. Spoke reported that he had received a call from a West Street/I resident regarding a plugged up storm drain. Thinking that the situation might be a Sanitary District Board issue, Spoke contacted Sup. Keach. It was not a Sanitary District Board issue, however, so Keach called Tim Lins (City of Waterloo). Sup. Keach noted that the City of Waterloo had tried to flush the drain that morning but had been unsuccessful due to it being frozen. Ultimately it was determined that Dodge County had jurisdiction over that issue.

Sup. Keach added that he has replaced a couple of faded address/fire signs thus far and that he has called Ben Zecher a number of times regarding desired brushing of Hubbleton and Austin Roads.

With no further business needing to be addressed at the time, motion by Sup. Keach, seconded by Sup. Crave, to adjourn. Keach's motion carried 3-0 on a voice vote at 9:12 P.M.

### **MARCH BILLS APPROVED FOR PAYMENT**

3587 We Energies	\$ 65.49
3588 Country Carpenter, LLC	314.46
3589 Joseph Pantely	438.67
3590 Leader Printing Co., Inc.	298.00
3591 Wisconsin Department of Revenue	228.69
3592 Nancy L. Thompson	1,834.75
3593 Town Group Fire District	5,650.64
3594 Nancy L. Thompson	412.33
3595 Steve Battenberg	46.17
3596 Angela Byers-Krantz	52.64
3597 Bob Topel	34.17
3598 Clayton Weihert	34.17
3599 Neitzel Auto & Hardware, LLC	29.95
3600 Kurt Keach	2,084.60
3601 Nationwide Retirement Solutions	1,508.76
3602 MR Concrete	23,979.25
3603 Waterloo Utilities	252.90
3604 Carleen Benninger	1,600.99
3605 Jeffrey Spoke	764.23
3606 Gardiner Appraisal Service	230.37
3607 Insight FS	2,907.81
3608 Advanced Disposal	652.55
3609 Thomas Crave	<u>380.13</u>

TOTAL: \$43,801.72

Nancy L. Thompson, Clerk

