

**REGULAR MONTHLY BOARD MEETING MINUTES
TOWN OF VERONA**

January 7, 2020, 6:30 PM

Town Hall, 7669 County Highway PD, WI 53593-1035

Present: Geller, Mathies, Maxwell, Duerst, and Enburg

Staff Present: Arnold, Wright, and Barnes

Also Present: see sign in sheet

1. **Call to Order/Approval of the Agenda** – Mark Geller called the meeting to order at 6:30 PM. Duerst moved to approve the agenda; 2nd Mathies. Motion carried by voice vote.
2. **Pledge of Allegiance**
3. **Public Comment** – No public comment.
4. **Approval of Minutes from December 3, 2019 Regular Meeting and December 17, 2019 Special Meeting**– Maxwell moved to approve the December 3, 2019 regular minutes; 2nd by Mathies. Motion carried by voice vote. Duerst moved to approve the December 17, 2019 special minutes; 2nd Maxwell. Motion carried by voice vote.
5. **Discussion and Possible Action to Repeal and Replace Town of Verona Comprehensive Building Code by Ordinance 2020-01** – Chair Geller asked Clerk/Treasurer Wright to summarize the changes recommended in the Ordinance before them. Wright gave a brief report of the need to address not only a reference to SPS 316 of the updated electrical code, but the removal of references to COMM 16 and COMM 17, as well as those portions of the code subject to a limitation of one year; these were completed by the Chair of the Ordinance Committee Tom Mathies. Duerst asked for a clarification of item 5 on page 8 outlining when an application will expire if not commenced within six months of approval by the inspector. Most licenses are good for 24 months and the building inspector can consider extending the term if requested by the applicant. Duerst moved to approve Ordinance 2020-01 to repeal the existing Building Code with the one attached as Exhibit A; 2nd Maxwell. Motion carried by voice vote. A draft of the Ordinance was sent to staff at the Department of Safety and Professional Services yesterday for their review and possible approval. If no review has been completed by this Friday and/or they approve the draft, a summary of the Ordinance will be published on Thursday, January 16, 2020 and will become effective on January 17, 2020. If the draft is rejected by DSPS staff, Wright will bring the item back to the Board for their review of the needed changes; without objection. A copy will be available at the Town Office for public inspection during regular business hours.
6. **Discussion and Possible Action re: Operator's License 2019-27 (application submitted on 12/2/2019) Renewal for Year Ending June 30, 2020 for Blackhawk Bowhunter's Club** – Wright stated that he had an applicant submit paperwork on December 2, 2019 which could not be considered for action at the December 3rd meeting. The applicant will serve at the Blackhawk Bowhunter's Club. Any application received within two years of a prior application by the same person is considered a renewal. This license will expire on June 6, 2020. Duerst moved to approve the issuance of Operator's License number 2019-27 to Ed Pierick, Jr. for the term ending 6/30/2020; 2nd Mathies. Motion carried by voice vote.
7. **Discussion and Action re: Request for Partial Refund of 2019 Pay 2020 Taxes Due to Correction of Assessment Error by Assessor for Parcel 0608-322-9550-0 and Parcel 0608-323-9500-9** – Clerk/Treasurer Wright briefly explained that a two-story farmhouse that had been razed in the past had been added back to the 2019 assessment roll on parcel 0608-322-9550-0. Because there are other improvements on the same parcel and 2019 was a revaluation year, the error was not caught by the Clerk who is provided an aggregate improvement value, not a breakdown on the assessment roll by type of improvement. Parcel 0608-323-9500-9 is primarily in agricultural use with some agricultural wood land that is assessed at 50% of market value. Unknown when the 2019 assessment roll was prepared, the owner had an orchard of apple trees no longer used for harvesting fruit removed and the land converted to agricultural use. Two years prior, Wright explained, this body received advice from Kathryn Soto-Moreno, the Director of Equalization for our region at the Department of Revenue that she considered the misclassification of land as a palpable error. The significance is that a palpable error does not require attendance at the Board of Review in order to request of refund of taxes overpaid. The packet included the letter from the property owner, the 2020 Corrections of Errors by Assessors prepared by Nick Laird of Associated Appraisal, and the Request for Charge Back of Refunded Taxes prepared by Wright that will be submitted after October 1, 2020 if the Board agrees to the refund so that the Town can be made whole. Mathies moved to disallow a refund for either parcel due to the letter from the owner not containing a value as required by Wisconsin Statute 74.35. Duerst asked whether the claimant could resubmit the claim before the January 31, 2020 deadline so that it included the value. Wright noted that the assessor and claimant worked to establish the values, the values are contained in the Correction of Errors by Assessors and Request for Charge Back of Refunded Taxes, and the complainant was in California when last contacted by Wright and may not be available to submit a second claim. Statute requires that this be served to the Clerk personally like a summons. Wright further stated that the complainant received a letter from the assessor with both values and the amount to be refunded which were not duplicated for the packet since the values are contained in the documents already referenced. Voice vote to deny either claim for refund: Maxwell, no; Mathies, yes; Duerst, yes; Enburg, no; and Geller, no. Motion failed by roll call vote. Chair Geller moved to refund the requested taxes overpaid totaling \$2,157.91; 2nd Enburg. Mathies agrees that the addition of the value of a building razed in the past is a palpable error, but does not agree that a misclassification of land is. Voice vote to refund the amounts requested: Duerst, aye; Enburg, aye; Maxwell, aye; Mathies, no; and Geller, aye. Motion carried by roll call vote.

8. Discussion and Possible Action to Approve a Letter of Engagement with Johnson Block for the 2019 Audit –

Planner/Administrator Arnold stated that Johnson Block has been producing the annual audit for at least the seven years she has been an employee of the Town and is satisfied with the work they have done. The rate was diminished slightly for the proposed contract for an audit of 2019 financials to be completed in 2020. There followed a discussion regarding what was unique about the Town of Verona that resulted in a rate higher than other municipalities (calculated as the cost of the audit compared to the annual percentage of revenue for the Town as prepared by Supervisor Mathies). Mathies would like quotes from at least two other firms to compare to Johnson Block's quote. It was noted that one difference is that the Town of Verona has a Utility District which is part of the annual audit of financials. Chair Geller wondered whether there were other financial services currently done by office staff that could be contracted for instead to free up staff time. The supervisors agreed to wait until some questions could be answered/other quotes secured before making a decision on this item. It will be added to the February agenda for consideration; without objection.

9. Reports and Recommendations

- Plan Commission: Discussion and Action - Land use application 2019-3 – Submitted by Tim and Linda Sweeney and Dave DiMaggio for review of a Preliminary Plat and associated documents for Prairie Circle (parcel numbers 0608-074-8533-0 and 0608-074-8093-0). Fourteen residential lots and one outlot are proposed. Maxwell noted that Wade Wyse of Wyser Engineering has been working with Williamson Surveying to provide the necessary calculations for this proposal. Maxwell provided the Board a brief summary of the steps that have been approved to date. It was noted that stormwater runoff from the current Prairie Circle bounds and future extensions as well as across residential lots is to be conveyed to Outlot 1 following a proposed swale. Supervisor Duerst asked how the stormwater is treated before it is discharged to the south into an existing wetland area. A wet detention pond slows the runoff and allows the sediment to drop out. The water is captured in an infiltration basin where it can recharge the aquifer. Any water that exceeds the capacity of the basin is discharged into the wetland. The basin has a capacity of 7" of rain in a 24-hour period. Excess water slowly discharges into an infiltration pond conveyed by a pipe. A larger storm event will overtop the basin berm and discharge directly into the adjacent wetland. It was noted by Maxwell that a passing lane for cluster mailboxes will appear on the next Plan. There followed a brief discussion about access to the wetland through the maintenance access leading to Outlot 1 that extends from the proposed relocation of the Prairie Circle cul-de-sac. Unauthorized access could be discouraged by signage or gates to be included in restrictions and covenants. The proposed access is currently to be gravel although Supervisor Duerst recommended mowed grass instead to avoid washouts. There are too many variables that the amount of time that would lapse prior to the need to remove sediment from the infiltration basin cannot be calculated. Although all stormwater regulation will be constructed from the outset, the east/west extension of Prairie Circle is not part of the first phase of the staged development.
 - i. Action on waiver of open space dedication – Maxwell moved to grant a waiver for the Prairie Circle development for public land dedication for recreational purposes or payment in lieu for the same; 2nd Duerst. There was a brief discussion of this provision contained within Chapter 75 [note: §75.11 (1) (a) & (b)] of the Dane County Code of Ordinances requiring the dedication of 1,750 square feet per residential dwelling or a fee equivalent of the worth of that land. The motion carried unanimously by voice vote. The next step is for Dane County to review and potentially approve the Preliminary Plat.
 - ii. Action on Preliminary Plat – Maxwell moved to approve the Preliminary Plat revised on January 2, 2020 as presented to the Board on January 7, 2020; 2nd Duerst. Mathies asked whether the Town Public Works Committee had reviewed this version. Project Manager Barnes stated that he reviewed the Preliminary Plat and presented it to the PWC; however, the Committee did not discuss or make a determination about snow removal assuming single access points for each proposed Lot along the circumference of the cul-de-sac with spacing that is less than 300' apart. However, the speed of traffic is minimal when considering the normal basis when determining joint access points. Barnes stated that snow storage is normally on the residential lots themselves when abutting a cul-de-sac. One of the access points, it was noted, is for access to Outlot 1 for maintenance. There followed a brief discussion of conditions that were pledged to be addressed between the Concept approval and Preliminary Plat approval that are not conditions contained in the current motion or conditions met. The Chair called for a roll vote in favor of the approval of the Preliminary Plat: Maxwell, aye; Mathies, aye; Duerst, aye; Enburg, aye; and Geller, aye. Motion carried by roll call vote.
- Public Works: Discussion and Possible Action – Plow Truck Acquisition. Enburg stated that the Public Works Committee did not meet in December. Project Manager Barnes reported that the PWC had discussed vehicle selection previously although they did not discuss other financing options other than the recommended lease-to-own one. The next scheduled meeting is January 14, 2020. Barnes noted that his quotes expired on December 31, 2019 although the Peterbilt tandem axle quote was granted an extension; a further delay will require requesting new quotes. When a decision is made, it will take 9 months before the vehicle can be delivered and placed into use. The members expressed whether they supported financing or depleting the reserves and paying for the rolling stock outright. Three were in favor of an outright purchase with awareness that the Town holds another \$150,000 in reserve for emergencies; Supervisor Mathies wants to know if a budget amendment will be required to act and what difference there may be to insure the replacement vehicle. Chair Geller favors borrowing for a portion of the cost from Capitol Bank. Mathies would like to see the pros and cons for a single versus tandem axle to justify the cost based upon benefit.
- Financial Sustainability Committee: the Committee did not meet this past month.
- Natural and Recreational Areas Committee: the Committee did not meet in December.
- EMS Commission – there was no meeting held in December.
- Town Staff:
 - i. Clerk/Treasurer report – Wright briefly reviewed tax collection totals to date and the three appeals he won for properties disputed by the Census Bureau including the residents located in the Badger Prairie Health Care Center; these residents were not counted in the 2010 census when the Town lost their dispute for this property. He also gave a brief update on new election equipment and the status on the Third Supervisor position on the Town Board: Phyllis Wiederhoeft submitted her materials earlier today prior to the 5:00 PM deadline.
 - ii. Project Manager report – Barnes gave a brief update regarding the blocked culvert on Paulson Road, sign replacements, and overhead door and pothole repairs. Barnes stated that he has requested quotes for cleaning lines in the Utility

District and has been conducting research on GIS software/services. The Wisconsin Department of Transportation has responded about the driveway on Manhattan Drive that they requested be relocated. According to Barnes, they are considering revoking the original Resolution for access control and then replacing it with another that gives them authority over 500' of Manhattan Drive from State Highway 69. Barnes noted that if the existing driveway needs relocation in the future, the owners will not be compensated by the DOT. The City of Fitchburg is seeking Requests for Proposals to conduct a stormwater review of the Goose Lake Area. They will be looking for the Town to share those costs. Supervisor Mathies confirmed that Madison Metropolitan Sewerage District will be involved in the process; Dane County Parks will participate as well. There followed a brief update on the portion of Woods Road that was pulverized during the CTH PD project that was recently paved.

a. Discussion and possible action – options related to wood burning on Town property near the Public Works building. Barnes stated that he has received a quote from Barnes to pick up accumulated wood from the Town site to be processed off site by a third party from Dubuque; the quote is for \$3,000 per pick up with an estimated need four times a year. However, Barnes is continuing to explore other properties for a licensed burning facility.

i. Administrator Planner/Monthly report:

- Update on search for new Administrator – Arnold stated that she received 21 applications by the soft deadline of January 6th. Arnold and Geller reviewed those applications and selected seven which they compared this morning that they will forward on for Board review. A Special Meeting in closed session will be planned for the near future to reduce the seven applications to three or four to consider for interviews. Arnold noted that she had required a cover letter and resume although some candidates provided resumes only and some included references.
- Summary of Town Hall rentals for 2019 – Arnold noted a report prepared by the Assistant to the Administrator, Tammy Dresser, in the packet.
- Town Chair – Chair Geller stated he is seeking the names of those interested to serve on Town committees and commissions and for Supervisors and staff to pass those along to him for consideration.
- Supervisors – Supervisor Maxwell briefly reviewed the currently available and projected residential lot inventory based upon the current applications for development that are being reviewed.

10. Approval of Payment of Bills – Duerst moved to approve payment of the bills as presented by Clerk/Treasurer Wright; 2nd by Maxwell. Motion carried by voice vote.

11. Adjourn – Chair Geller adjourned the meeting at 9:11 PM.

Approved: February 4, 2020

Prepared by: John Wright, Clerk/Treasurer