

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

Tuesday, February 5, 2013 6:30 P.M.

Town Hall, 335 N. Nine Mound Road Verona, WI 53593-1035

Present: Combs, Miller, Enburg, Geller, Rego

Absent: None

Staff Present: Arnold, Wright, Dresser

Also Present: See sign in sheet

1. Call To Order/Approval of Agenda

Motion by Enburg to approve agenda. Second by Miller. Motion carried at 6:30PM.

2. Public Comment – None

3. Claim for compensation for tree at 7823 Paulson Rd.

Jean Mescher addressed the Board concerning the cutting of a tree at her father's residence last December. Her father, Tom Mescher, had turned down an offer of compensation from the insurance company. She explained that they feel the value of tree is substantially more than what the insurance adjuster offered, and she was seeking further direction on how to be compensated. She stated that she found the insurance agent's method of valuation troubling and that Town committed several errors in the trimming process. Dave Combs responded that the Town has insurance to deal with these situations and paying more than what was offered would absolve the insurance company of services already paid for with tax dollars. There was a brief discussion of small claims court. Jean said she'd follow up with the insurance adjuster concerning next steps.

4. Claim for reimbursement for damage of decorative lights at 2779 Cross Country Circle

Scott Braucht addressed the Board concerning damage to Christmas tree lights during plowing that took place during the December storm. He explained that he'd like to be compensated for the lights and didn't know that the trees were in the right-of-way. There was a little debate about the right-of-way measurements. Amanda explained that she was not comfortable authorizing payment for damages within the right-of-way because of the precedent it could set for future damage to other encroachments. Mark Geller told Scott that he understood that the right-of-way rules are not well known and that he'd like to get more information about that. Manfred Enburg asked if an insurance claim could be submitted for the damage. Amanda said she'd follow up with the insurance company and re-measure the right-of-way.

5. Public Hearing – Driveway variance for Barnes Landscaping, 6433 Nesbitt Rd.

Jim Montgomery, a representative for Barnes, addressed the Board. He provided a handout outlining the need for the proposed drive and unique circumstances and four conditions raised at the last Board meeting that Barnes would be willing to accept. Amanda relayed some guidance from the Town attorney concerning reviewing the variance at a later date and linking the driveway variance to the Conditional Use Permit. There as some discussion of the use of the drives for the public verses Barnes fleet and whether or not the driveways should be granted without the Conditional Use Permit. Jim Montgomery stated to the Board that potential investors would be lost if the driveway variance couldn't be obtained. Bob Rego stated that if the use was a good one, and the location was right, that the Board shouldn't get bogged down. John Wright reminded that Board that a hardship needs to be proven for a variance and that a variance transfers with the land. No one from the public spoke for or against the variance.

Motion by Rego to approve the variance with the following conditions:

- 1) That one drive would be for "in movements" and the other for "out" (west to east)
- 2) That the approval be revisited in several years or when the station opens to the public
- 3) That the drives only served the proposed station and not another use.
- 4) That the drives meet certain construction standards.

Mark Geller amend the motion to assure that condition #3 be clarified that the driveways will only be used for public access to the CNG fueling station.

Second by Miller. Motion carried unanimously. See attached summary from Barnes for more context.

6. 2012 Budget Amendments

Amanda presented the Board with a resolution correcting the 2012 budget to reflect the fact that some funds were not transferred in and also not spent. Motion by Miller approving Resolution 2013-2 amending the 2012 budget to reflect actual revenues and expenditures. Second by Rego. Motion carried unanimously.

7. Building fees

Bob Rego presented a new fee schedule that he developed with Amanda Arnold and Dick Steele. Mark Geller was concerned with the idea all repairs over \$2000 would be subject to a permit. He was concerned that painting or flooring could exceed \$2000. It was determined that more work was needed on that section, but that the fees could be approved. Motion by Geller to approve Resolution 2013-3 increasing the building permit fees. Second by Enburg. Motion carried unanimously.

8. Reports

A. Engineer/Public Works:

PB project – Purcell Rd. intersection – Amanda reported that when the Board previously voted to fund the intersection improvements at Purcell Rd (approximately \$28,000), we forgot the road sits on the Board with the Town of Montrose. Subsequently, the County has asked if the Town of Montrose would be willing to pay for a portion of the cost of the intersection. Montrose has declined to do so. Amanda asked if the Board was interested in funding the whole intersection given that its shared with Montrose. Motion by Enburg to fund the intersection construction as planned with the understanding the Dave would contact the Chair of the Town of Montrose Board and seek other opportunities for cost sharing the future. Second by Geller. Motion carried unanimously. The Board asked

Amanda to find out how much of the intersection improvements would be in the Town of Verona verses the Town of Montrose because it was thought that most were in the Town of Verona.

- B. Plan Commission:
Manfred reported that general issues were discussed at the last Plan Commission, not action items. He suggested that perhaps driveway issues should be under the purview of the Plan Commission. The other Board members were in general agreement. It was suggested the driveway ordinance needs to be updated and as part of that work a process for review could be better outlined.
- C. EMS: Bob Rego reported that a union contract is almost complete.
- D. Fire:
Dave reported that the City has reviewed the draft agreements. He believes only minor edits are needed before the agreements go to the Fire Commission for review. Gregg regretted that he couldn't be at the last meeting, but he has reviewed the agreements and feels they are fair.
- E. Open Space and Parks:
John Wright passed out a map of the land to be purchased by Dane County for conservation along the Sugar River. He also reported on the tax revenue impact.
- F. Town Chair
Dave reported on the meeting with Epic. Amanda told the group that the Morse group has agreed to hold a public meeting about the proposed power line. She will send out details soon. In addition, the City and Epic are holding a meeting about Epic's expansion plans on Feb. 21st. Manfred suggested the Town, City, and Epic sit down and talk about road planning more.

Dave later handed out an outline of a charge for the future building committee and asked the Board members to review it and give him feedback.
- G. Supervisors:
Manfred asked Tammy about the comments she has heard about traffic speed on PB. The Board Members thought Tammy should direct citizens to speak with the County staff.
- H. Planner/Administrator:
Amanda reported that she, Tammy, and John interviewed three people for the receptionist position, and she chose Lorette Jellings who will start Monday.
- I. Clerk/Treasurer:
John handed out a summary of tax collection to date.
John handout a summary (attached) of tax assessment issue related to 0608-132-8790-0 (the Swan You See development parcel).
Motion by Miller. Second by Rego to refund the Temkins \$1367.19 because of an assessment error. John handed out a summary (attached) of an assessment issue related to 7399 CTH PD. John reported that all of the facts around this error were not know be the Assessor has been out of town. He wanted to bring to the Board's attention anyway because interest fees accrue each month that the issue is not resolved. The Board decided to address the errors next month when all of the facts would be available.
9. Motion by Enburg/Second by Rego to approve the payment of bills for month of January. Motion carried.
10. Review of Building Permits, Inspection Reports, Road Haul Permits, and Right-of-Way Permits
11. Motion by Enburg/Second by Rego to approve the minutes of the two January meetings. Motion carried.
12. Motion by Enburg/Second by Miller to adjourn. Motion carried at 8:35 pm.

Approved: March 12, 2013

Amanda Arnold
Planner/Administrator, Town of Verona