

**TOWN OF MAY
WASHINGTON COUNTY
OFFICIAL TOWN BOARD MINUTES
March 3, 2011**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, March 3, 2011, at the May Town Hall. Those present included Bill Voedisch, Board Chairman; John Pazlar, Supervisor; John Adams, Supervisor. Absent: Linda Klein, Town Clerk and Treasurer Cheryl Bennett. Voedisch indicated that he advised each consultant that, because of the light agenda, they did not need to attend. Chairman Voedisch called the meeting to order at 7:00 pm.

Minutes, Checks, Treasurer's Report

Voedisch moved, Adams seconded, to approve the minutes of the February 3rd, 2011 Town Board meeting as presented. All approved.

Adams moved, seconded by Voedisch, to approve checks 16358 to 16387 for March disbursement, plus EFTS311 and EFTF311 electronic funds transfers to the State and IRS, respectively, for withholding.

John Pazlar presented the Treasurer's report. Voedisch noted that the Hoffman existing house is due for a fire exercise this month but that Hoffman will still have plenty of clean-up to do. Pete will give us a report on progress at the April meeting, since Hoffman's LoC expires May 1, 2011. Pazlar moved, seconded by Adams, to approve the Treasurer's report as presented. The report is attached to these minutes and serves as the official record. All approved.

Monson Lot Line Adjustment – Landmark Surveying

Art Monson and Bill Selb of Landmark presented a lot line adjustment survey and supporting information, representing the following:

- 1.) Convergence of 6.118 acres from Kiwanis to Monson, dropping Kiwanis from 60 acres +/- to 54 acres +/-, and increasing Monson from 13.882 acres to 20.0 acres
- 2.) Granting an access easement of 24 feet in width from 154th St. across the existing Monson property and across the conveyed 6.118 acres, in favor of Kiwanis.

Voedisch noted that lot line adjustments can be approved by the Board so long as (a) no new lots are created, and (b) no non-conformities are created. Pazlar noted that the gross yield of lots in Kiwanis drops from 6 to 5 while the gross yield of lots for Monson increases from 1 to 2, thus even the potential number of developed lots within the Town stays the same. Voedisch noted that the 9.801 Monson acres across 154th St. could now be sold as a new lot. As it stood, it could never be subdivided off, yet the road separated that land from the Monson house and home acres, and made it of little use. It is academic why the south 9.801 acres did not become a separate lot when 154th St. was put in. Voedisch did say that the resulting Monson 20.0 acres must be defined and recorded via a single deed.

Voedisch also noted that, although a 24 foot wide easement in favor of Kiwanis might be sufficient for a modest driveway access, if any development or significant increased use were to occur on the Kiwanis property utilizing the access easement, a "shared driveway" standard would have to be met to provide for (a) safe passage of two on-coming emergency vehicles, (b) management of storm water from the

driveway and surrounding terrain, and (c) underground utilities, and that this standard would generally require 2 rods (33 feet). Mr Monson, Mr Selb and Kiwanis will consider making the easement wider.

Adams commented that this lot line adjustment follows our standards of practice for such approvals by the Board. Voedisch moved, seconded by Pazlar, to approve the lot line adjustment as presented. All approved. The survey of the new Monson parcel is attached to these minutes.

Voedisch advised that Mr. Monson could create his own deeds or the Town Attorney could create them if an escrow was posted. In either case, Town Attorney Snyder would have to mark the deeds on behalf of the Town before they could be recorded.

OLD BUSINESS

Election

Voedisch advised that the Clerk is having surgery Friday and, because of her anticipated painful recovery, she has asked County Elections to administer our election on Tuesday. They have agreed.

Job Descriptions

Job descriptions for the Clerk and Treasurer are now complete. The Board discussed doing performance reviews for each later this year.

NEW BUSINESS

Housekeeping ordinance

The final ordinance before recompilation of the Code is Ordinance 2011-02, which contains additional housekeeping changes to Article 709, Interim Uses. The Clerk will need to notice this for an April 7th Board meeting hearing, there being no PC meeting this month.

Assessor proposal

Frank Langer, assessor for some of our surrounding communities, has submitted a proposal to be the Town's assessor. The Board re-iterated its desire to retain a private assessor rather than having the County do our assessments, and they were pleased to see Mr. Langer's interest. It was noted that fees would rise under the Langer proposal compared to what we are paying Mr. Poshek. The Board took no action at this time but may review the assessor position after the upcoming Board of Adjustments and Equalization (on April 12th).

Cartway

Voedisch provided an update on the meeting he conducted with the cartway parties: Mr. Hughes and his daughter, and their Counsel Mr. Kantrud, are seeking cartway access to their landlocked parcel, and Jungmann/Hoy own the property across which the cartway would be sought. Voedisch reviewed with the parties the responses from the three agencies to Attorney Snyder's inquiry, and he also reviewed the cartway petition process. There being no apparent basis for a negotiated settlement between the parties, the next step would be a formal cartway petition from Hughes.

Ballroom update

Voedisch met with Paul Bergmann to review all of the new uses he would like to do on the ballroom,

garden center and greenhouse property. He sent a follow-up memo to Bergmann and Town Planner Fuhrman, and provided copies to the Board, Clerk and Town Attorney. Bergmann is encouraged to come forward for an application to amend his CUP.

Annual Meeting

The clerk has indicated that, because of her surgery, she has asked the Treasurer to be acting Clerk for the meeting, call it to order, hand out the agenda, ask for nominations for moderator, and take minutes. Voedisch produced the Youth Service Bureau request for continued funding.

Humane Society letter

After some spirited discussion, Pazlar moved that we lower the dog impoundment fees from 75/150/300 to 50/100/150, that we notify AHS accordingly, but with the understanding that we also ask Attorney Snyder to find a way to collect unpaid fees via assessment. Seconded by Adams. All approved. Voedisch will bring forward an ordinance amending Fees and Escrows for the April Board meeting.

CSAH 9 – County paving project

Voedisch brought forward Resolution 2011-03 in support of the county repaving of CSAH 9 that borders the Town. As a safeguard against the County doing a major road re-work as proposed 3 years ago which was opposed by many citizens, Voedisch added to the resolution that this support is provided only if the project entails no re-alignment, straightening or ROW acquisition, only paving rehabilitation. Resolution passed by unanimous roll call vote. The resolution is attached.

WD rules applicability

The CMSC WD has produced a flow chart showing how to determine when WD rules are applied to excavating, impervious surface creation and subdivision, and when to know if a WD permit is required. It is the WD's intention that a municipal official, building official or planner can use this flow chart to make these determinations.

Voedisch believed that someone other than the WD engineer may not be able to figure this out in each case, and when he asked Pete Kluegel what he thought, Pete confirmed that it is not totally clear to him when and how the rules apply even though Pete attended the WD meeting on the matter.

Voedisch indicated that, we will do the best we can but that if any Township official or consultant has any question as to whether or how the WD rules might apply to a particular case, all we can do is refer the citizen to the WD. All agreed.

New light

Voedisch thanked Pazlar for getting a new light installed on the rear of the Town Hall.

Hearing no further business, Adams moved, seconded by Pazlar, to adjourn. All approved.

ATTEST: _____

Linda Klein
Town Clerk

Respectfully submitted,
William K. Voedisch, Chairman