

Town of Burns  
June 8, 2010  
Town Board Meeting Minutes

1. Meeting was called to order by Chairman Kitzmann @ 7:35 PM following the Board of Review meeting.
2. Chairman (Chr.) Kitzmann, Supervisor (Sup.)Hoth, Supervisor (Sup.)Nuttleman, Treasurer (Tr.) Paul and Clerk (Clk.) Esser all present. The meeting was properly posted by Chr. Kitzmann. Tr. Paul presented the treasurer's report and account balances for May 2010. Chr. Kitzmann noted for the record the May 2010 treasurer's report was received. Chr. Kitzmann wants to compare the April and May minutes with the recording. Motion by Sup. Hoth to postpone April 13, 2010 minutes. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried. Motion by Sup. Hoth to approve the April 20, 2010 minutes. Second by Sup. Nuttleman. Voice vote, Sup. Hoth and Nuttleman ayes, Chr. Kitzmann opposed motion carried. Motion by Sup. Hoth to approve the May 11, 2010 minutes. Second by Sup. Nuttleman. Voice vote, Sup. Hoth and Nuttleman ayes, Chr. Kitzmann opposed, motion carried.
3. No public input was given.
4. One sealed bid for road work was received by Clk. Esser from Scott Construction. The bid was opened and discussed. Motion by Chr. Kitzmann to approve the Scott bid/estimate for the following roads: Kastenschmidt Rd. for \$7986, Niedfeldt Rd. for \$17971, skip Johnson Coulee Rd., Quall Coulee Rd. for \$704, Dallas Ave. for \$3900, skip Sand Creek and Rod and Gun Club Rd., S. Garvis Rd. for \$8978, N. Garvis Rd. for \$10182 for a total of \$49721. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried.
5. Surveyor Scott Dunham and Charlotte Payton presented the Rockland Cemetery re-plat for the second addition to the board. Motion by Chr. Kitzmann to approve the re-plat of the Rockland Cemetery and Char and the surveyor can work with the town attorney to get this taken care of with the court. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried. Repair of a broken head stone by the lilac bush in Rockland Cemetery was discussed. The repair would be covered under perpetual care. Motion by Chr. Kitzmann to postpone the headstone matter so digital pictures can be taken and the Supervisors can take a look at it. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried
6. Bart Peters and surveyor Scott Dunham were present to discuss the Certified Survey Map for access to Lot #9 and an access easement. Motion by Chr. Kitzmann to approve the June 8, 2010 resolution #1 where as Bart Peters and surveyor Scott Dunham presented a Certified Survey Map dated 05/05/2010 with a new access easement as shown whereas a subdivision of lot #5, Certified Survey Map, volume 11, page 7 and where as the plan commission recommended approval as presented thereby be it resolved that the above referenced Certified Survey map is approved by the Burns town board as presented. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
7. Matt and Amanda presented information for an access easement extension. Motion by Chr. Kitzmann to approve the June 8, 2010 resolution #2 where as Matt and Amanda Miller presented an easement extension from point A to Point B as drawn on the attached diagram and whereas a letter dated 06/04/2010 from Bryan Meyer the La Crosse County surveyor to the town board and whereas no objections were presented and whereas Matt and Amanda Miller will get preliminary approval from all parties involved and whereas this proposal is off a State Rd. and the county highway commissioner Dennis Osgood contacted Chr. Kitzmann stating the County does not have jurisdiction and whereas fire chief Steve Horstman also contacted Chr. Kitzmann and stated there are no problems or concerns with emergency vehicle access as the driveway/access currently exists and whereas Matt and Amanda Miller presented correspondence with Mike Lenz from the Dept. of Transportation which stated that there are no issues with an additional parcel using the existing access point with no additional improvements needed to the current driveway and whereas the Burns plan commission recommended approval with the above conditions being met thereby be it resolved the Burns town board hereby approves the Matt and Amanda Miller access easement extension. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
8. Nate and Amanda Tucker discussed the issues concerning placement of a house on a new parcel of land. Chr. Kitzmann will draft a letter from the Town board concerning this situation for the supervisors to review for Nate and Amanda to present at the county by June 28, 2010
9. Kris Fassler was not present. Motion by Chr. Kitzmann based on the Burns plan commission recommendation that the Kris Fassler driveway be approved provided he follows the Town driveway ordinance. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
10. No recycling employees could attend the meeting. Motion by Sup. Hoth to change the dump hours to start at 8 AM on Saturday starting April 1<sup>st</sup> to October 1<sup>st</sup>. Second by Sup. Nuttleman. Voice vote, all ayes, motion

- carried. Motion by Sup. Nuttleman that Chr. Kitzmann print out a letter to get more items in the compactor and the hour change. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
11. Motion by Sup Hoth that Chr. Kitzmann work with the clerk on item #11. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried.
  12. Motion by Sup. Nuttleman that Item #12 and #13 be referred to the Burns plan commission. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
  14. Motion by Chr. Kitzmann to amend the Board of Review alternate ordinance for 2010 to approve Norb Elliott, Ed Schmidt, Ed Fitzgerald and Linda Saley. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
  15. Chr. Kitzmann is working on a draft financial report. Motion by Sup. Hoth to approve the 2009 Financial Statement and 2009 Form CT. Second by Sup. Nuttleman. Voice vote, Sup. Hoth and Nuttleman ayes, Chr. Kitzmann opposed, motion carried. Chr. Kitzmann stated for the record because of that situation and I've stated before and Clk. Esser did nothing to clarify for the record what actually took place that is why I have requested we all work together as a board with the clerk on what is going on. Clk. Esser stated for the record that she has asked Chr. Kitzmann and it is written on numerous occasions to give his input on this financial report and has not received anything until tonight. Chr. Kitzmann already knows there are errors it is just a matter of identifying them.
  16. Chr. Kitzmann presented a revised worksheet for the overpayment of Leo Schaller's insurance premium totaling \$167.71. Second by Sup. Hoth. Voice vote, all ayes, motion carried. Motion by Chr. Kitzmann to approve the insurance worksheet as presented with \$167.71 as an overpayment to Leo. Motion by Chr. Kitzmann to amend the town board policy that the town patrolmen are reimbursed for their health care coverage less 10% by the town. Second by Sup. Hoth. Voice vote, all ayes, motion carried. Motion by Chr. Kitzmann the patrolmen work out getting us so we can copy their statements for their payments each month for the insurance that we are reimbursing them for and medications for our records. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
  17. Tostrud and Temp financial accounting software expense will be added to the budget in financial administration next to the audit at \$400.
  18. Chr. Kitzmann received an email from the town attorney (Bosshard), (attached). Motion by Chr. Kitzmann to approve what the attorney [email] says here to stipulate that the [assessment] records be held at the courthouse pending resolution of the Shefelbine court case. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried. The board discussed at length matters concerning the Shefelbine court case and legal fees. Chr. Kitzmann was contacted by attorney Millis to find out who our town attorney is and he replied attorney Bosshard was our town attorney. Motion by Sup. Hoth that because the chairman can not work with the clerk any further dealings with the town attorney he would like to deal with himself if needed on the Shefelbine court case. Second by Sup. Nuttleman. Voice vote, Sup. Hoth and Nuttleman ayes, Chr. Kitzmann abstain, motion carried. Chr. Kitzmann stated for the record that he does not have problems working with a clerk. Sup. Hoth will contact attorney Bosshard regarding the pending legal bill for handling the Shefelbine court case. Sup. Nuttleman requested the emails between attorney Bosshard and Chr. Kitzmann.
  19. Motion by Chr. Kitzmann to approve the West Salem Rod and Gun Club liquor license for 2010 based on the application, payment and affidavit of posting. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried.
  20. Motion by Chr. Kitzmann to schedule the July 2010 town board meeting on the 20<sup>th</sup> at 7:30 PM. Second by Sup. Nuttleman. Voice vote, all ayes, motion carried.
  21. Motion by Chr. Kitzmann that Clk. Esser sends out a letter as clerk to the respective parties on the W-9 so our records are updated. Second by Sup. Hoth. Voice vote, all ayes, motion carried.
  22. Mail received by the clerk was reviewed with the board.
  23. Motion by Sup. Hoth to approve the bills from May 19<sup>th</sup> through June 15<sup>th</sup>, the 3 EFT's, checks #6972 through #6999 with the exception of #6988 and Chr. Kitzmann invitation to Tostrud & Temp for \$195, Chr. Kitzmann highway workshop for \$45 and Chr. Kitzmann University of WI extension for board of review training for \$20. Voice vote, all ayes, motion carried.
  24. Motion by Chr. Kitzmann to adjourn. Second by Sup. Hoth. Voice vote, all ayes, motion carried. Meeting adjourned at 11:20 PM.

Jane Esser – Clerk  
Approved: 8/19/2010