

Town of Newark Board Minutes

July 16, 2024

Approved 8/20/2024.

Call to order: 7:05 pm

Pledge of Allegiance was recited.

Present: Chair Barb Lange, Supervisor Bob Bauer, Supervisor Jeff Bovee (remotely), Treasurer Jacki Olson, Clerk Kelly Fallon, 27 audience members

Approval of the Agenda: Bob Bauer made a motion to approve the agenda. Seconded by Jeff Bovee.

Motion passed unanimously.

Town of Beloit Fire Dept.: Chief Snyder did explain the ISO website has been down, this would be where insurance agents can check the Fire Department ratings to see if it is possible for a resident of Newark to get better insurance ratings on homeowners' insurance. The Fire Department will draft a letter and send it to Newark Chair to help residents check into better homeowners' insurance rates. This is not a guarantee of discounted rates.

Solar, really no change. Individual solar pods are individually energized. The fire department protects the area, but the utility company takes care of the panels.

The audience asked questions. Where does the Town of Beloit Fire Department transport to? Javon Bay, Beloit Memorial Hospital, All Janesville hospitals. The ambulances are kept in the general area.

Sheriff Department Report: In the Newark area there have been reported two thefts, storm damage, and fraud reports. The audience asked if a person is caught dumping, what can be done? Possibly a citation. The citation is \$260.00.

Minutes of Opening of sealed bids for Town Hall roof repair: Jeff Bovee made a motion to approve the minutes as presented. Bob Bauer seconded the motion. Unanimously approved.

Minutes of the Board Meeting, June 11, 2024, Bob Bauer made a motion to approve the minutes. Barb Lange seconded the motion. Approved unanimously.

Audience Communication: Marie Ayen asked for a fence viewing. She stated this is the second request in 3 months.

Planning Commission Communication: A. Public Hearing Recommendation for rezone/land division for parcel 6-14-226 (Gaffney). The Planning Commission made the recommendation to the Board to approve the land division. A site plan and maps were presented, showing the proposed lot. The new lot would have 900 feet of road frontage. Jeff Bovee asked where the driveway would be located.

Jeff Garde, from Combs & Associates indicated where the home would be located, and the driveway would be directly to Smith Road. Jeff Bovee asked about 470 feet of frontage to Damm driveway. Jeff Garde stated no, the driveway would go to Smith Road for safety reasons. Jeff Bovee stated there was no need to divide the land, as cannot build there. Jeff Garde asked for explanation. Jeff Bovee stated this created a non-conforming lot. Jeff Garde stated the SW section is in a different municipality section, making it a different parcel. All land is one deed but two separate parcels. Statue 9.5 Chapter 3 states the lots involved are considered one parcel. Jeff Bovee asked if the two parcels can be sold separately. Jeff Garde stated, not without a land division. Barb Lange stated the Gaffney's are asking for a land division, then build a home and reside there. Bob Bauer asked if the Town would have to pave the gravel road? Gaffney's and Damm's would like it to remain gravel for now. Jeff Bovee asked if the parcel perked for a 4-bedroom home. Jeff Garde stated yes, at the exact location of the proposed build. Barb Lange made a motion to approve the rezone/land division. Bob Bauer seconded the motion. Unanimously approved.

B. CUP for Brian Damm: Brian Damm states he is grandfathered and does not need a conditional use permit. Jeff Bovee asked what ordinance supports being grandfathered? John Sheehan states 9.1. Brian Damm has had these many cattle on the same land since 1994. We do not know he was in violation in 1998. Barb Lange and John Sheehan stated Brian Damm is innocent until proven otherwise. Bob Bauer asked if the land is non-conforming. Barb Lange stated no. John Sheehan said in absence of proof of a violation of 9.1 we need to assume Briam Damm was in compliance. Brian Damm stated that Jeff Bovee stated the current ordinance states "per Parcel." There is not that language in the ordinance. After further discussion Barb Lange made a motion to table the discussion and review old ordinances and reconvene in August. Jeff Bovee seconded the motion. Motion passed unanimously.

C. Cemetery building. The Planning Commission would like to get the community involved for discussion.

D. Ordinances rewrite. A meeting of the Town Board and Planning Commission will be set for August.

Permits: 10851 Laird Road, is a CUP needed? Currently an accessory building is on the property without a residence. Owner was able to show previous documents when accessory building was permitted and built. The building was built in 2020. In August of 2019 the home that was on the land exploded, accessory building replaces it. Currently the owner has applied to build a new home. Barb Lange made a motion to continue to have Char Martin, building

inspector work with owner. Motion seconded by Jeff Bovee. Motion passed unanimously. The owner asked if needed a zoning permit. The owner advised to follow directions of building inspector.

Updates: Ayen/Valosek; Bob Bauer had spoke with Marie Ayen and visited the property. Bob Bauer also stated he did research. Valosek has two parcels, purchased at the same time.

Ordinances 9.5(3) gives 330 road frontage feet. There are five accessory buildings on the Vlosek property. Any building other than the main residence is considered an accessory building. A parcel must be in compliance prior to applying for a CUP. Bob Bauer felt there were violations with the number of buildings but no violations with the animals. M. Ayen stated there were violations because it is two parcels. Bob Bauer explains it is considered one parcel. Marie Ayen disagreed. Barb Lange stated animals are kept one hundred feet from property line when neighboring property. All properties in Newark are zoned Ag. Marie Ayen stated the animals are not clean. Bob Bauer stated that is not in our ordinances. Outburst from audience member. Barb Lange asked nonresident audience member to leave. Barb Lange and Bob Bauer agreed more discission on this matter is needed. Barb Lange made a motion to table the Ayen/Valosek matter until the August Board meeting. Bob Bauer seconded the motion. Motion passed unanimously.

Updates on 12439 County K: Barb Lange stated there are many violations on the property. The owners will need a CUP based on the number of animals on their property. Bob Bauer stated they cannot get a CUP with violations of animals. Barb Lange states she will visit the property on July 22 or 23rd. The property had been visited prior to previous Board meeting.

Cemetery Committee: Tabled until August meeting.

Finances: Barb Lange reported YTD budget review meeting will be scheduled for August after the Board meeting. The next Board meeting is August 20, 2024. The budget meeting will be August 27, 2024, at 7:00pm. Barb Lange made a motion to discuss 2024 budget for 2025 on August 27, 2024. Bob Bauer seconded the motion. Motion passed unanimously.

Paid bills; A recap of the paid bills, no questions. Paid bills were approved.

Proposed bills: The recall election charges were \$208.64 from the County, \$1104.50 for election personnel. A spreadsheet of proposed bills was presented. Barb Lange made a motion to pay the proposed bills. Bob Bauer 2nd the motion. Motion passed unanimously.

Rock County Billing update: A letter was presented from the County. The county has had personnel changes and apologized for the delay. They are working diligently to get caught up.

Town of Beloit Fire Department: The second installment of the contract is due August 12, 2024.

Orfordville Fire Department: discovery claims are in the process. Not an action item at this time.

Building Inspector (Char Martin) has submitted her invoice for \$3,483.65 (per contract)

A request for insurance payment \$2100.00 is also requested. Barb Lange made a motion to pay the building inspector. Jeff Bovee amended the motion to include proof of insurance cost prior to payment of insurance. Bob Bauer seconded the motion. Motion passed unanimously.

Clerk concerns: Kelly Fallon, Clerk asked permission to be able to pay bills that are contractual or prior approved on time. ie: Delmore Consulting was approved as a contract; payment was due prior to a Board meeting. Jeff Bovee stated monthly bills delineated in resolution, just pay bills. Barb Lange stated that approval is not needed each month as the amount was previously approved prior to invoice. Barb Lange stated a resolution can be created at the budget meeting. Bob Bauer stated the invoice was already approved when the contract was. Jeff Bovee said to create a policy.

A resident was issued a refund check and misplaced it. The clerk would like to re-issue a check. Barb Lange made a motion to reissue a check and subtract stop payment fees from the amount of the check. Bob Bauer seconded the motion. Motion passed unanimously.

Passwords: Barb Lange reports this matter is taken care of.

Lights on west side of the parking lot. Jeff Bovee will take care of this.

Treasurer's Report: Jacki Olson reports the money market interest was \$958.61 for the month of June. Jacki Olson presented a written report. Bob Bauer made a motion to approve the Treasurer's Report. Barb Lange seconded the motion. Motion passed unanimously. Bob Bauer explained what is required in a Treasurer's Report and the format is the Treasurer's discretion.

Proposed Bills: Barb Lange made a motion to pay receipt 262473, (which was presented just prior to the meeting). Bob Bauer seconded the motion. Motion passed Unanimously.

Barb Lange stated future invoices must be presented timely or will be presented at the next Board meeting for payment.

Town Hall Maintenance: Roof and windows update. Roof repairs will begin July 29th.

Smoke detectors: Table until August.

Social media: Jeff Bovee will make a proposal next month.

Waste Management: Requesting a meeting. Report back in August.

Resolution to Clarify residential: Barb Lange would like the Planning Commission to add the definition of residential in Chapter 15. Bob Bauer seconded the motion. There was discussion regarding clarification throughout ordinances, not just chapter 15. A vote was taken, the motion did not pass. Jeff Bovee made a motion to have the Planning Commission resolve the meaning of residential as it appears in the ordinance. Review residential lot and residential zone and its meaning. Barb Lange seconded the motion. Motion passed unanimously.

Adjournment: Bob Bauer made a motion to adjourn. Motion seconded by Jeff Bovee. Motion passed unanimously. Meeting adjourned at 9:39pm

Respectfully submitted,

Kelly Fallon, Clerk