

Rushford Town Board Minutes
Wednesday, May 6, 2015

The Town of Rushford May Board meeting was called to order by Chairman Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Gerald Schoonover, Kathryn Lewis & Peggy Hendricks present. Pat Kafer was excused. Also present for all or part of the meeting: 5 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of the May Board Meeting and Notice of meeting of Local & Municipal Board of Canvassers was posted on the Town Hall door, the corner of K & E in Eureka, the Waukau Post office and on the Towns website. In addition, the Weed notice to Property Owners, The Public hearing by the Towns Zoning & Planning Committee, Notice of Open Book and Notice of Board of Review was posted in the Oshkosh Northwestern. Notices were also sent to Board members, Zoning Chair and the Zoning Administrator.

Clerks Report & Minutes: *Motion by Schoonover, 2nd by Egan to approve the minutes as presented for the April 1, 2015 Town board meeting. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance at the end of April, 2015 was \$277,653.49. The balance in the tax account was \$117.71 *Motion by Schoonover, 2nd by Egan to accept the treasurer's report. Motion carried.*

Payment of invoices: Peggy Hendricks approved and submitted to the board the bills for May in the amount of \$11,543.73 from the general account for approval of payment. *Motion by Schoonover, 2nd by Egan to pay May 2015 bills from the general account as submitted. Motion carried.*

Public Input: Roger Kasuboski was present to talk to the Board. Chairman Egan stated that everything was in the attorney's hands. Mr. Kasuboski stated that since 2014 he has been separated from his wife. He was told he could do nothing with the property until the final hearing on August 8, 2015, except put in the mound system. He stated this will be started in 1 week. Tom Egan stated that it is not just about the home. It is about the building, the trucks, running a business out of there where it is not zoned commercial, complaints from neighbors, piles of dirt & gravel. Mr. Kasuboski stated he received the dirt and gravel from a job he was on and is planning on using it for his house. He also said that he just received the Summons & Complaint which was filed in Winnebago County Courthouse. Tom Egan said that they have tried to serve the papers, but the registered letters were not picked up. Roger said he cannot control what has happened. Tom Egan stated that this has been going on a long time before his separation. It is out of the Town Boards hands and he should contact Attorney Sondalle to discuss this and possibility of being resolved before the court hearing. Tom thanked him for coming in. Maybe if he would have come in earlier, we would not be at this stage. Mr. Kasuboski said he thought he would be down earlier to get a building permit. He told his attorney he really had to start this year. Tom explained that he has to start with a state building inspector, the plumbing, etc and then come to the Town for a building permit. The Town would also need a site plan. Tom did state that this has been going on for many years, starting when the building was moved from one side to another.

Pat Schoonover inquired about a tax bill he received for Mechanic Street. He does not have a parcel on Mechanic Street. Kathryn Lewis looked into this and will contact the County to change the address and fix the error.

Fred Kasten inquired how many acres the DNR had and what the tax rate was. Kathryn Lewis stated there is 460.89 A at \$.88.

Communications & Correspondence:

- Hendricks received a booklet from Construction Business Group which had information to help Towns be in compliance for bidding and prevailing wage laws.
- Hendricks read an email she received from a concerned resident regarding the excessive speed on CTH K from the church heading towards Waukau. Tom asked the Clerk to stamp the letter and forward it to the Sheriff's office.

Discussion of Town hall maintenance/needs:

Tom stated that redoing the wainscoting on the walls is not in the budget for this year and it was not bought up at the Annual meeting so he feels it should be put off until next year. Jerry Schoonover asked if the Clerk was going to call Larry Hildebrand, for the phone jack is broke in the hall and the HDMI outlets should be moved. Tom also stated that the 4-H and Patsy Pomplun did a very nice job cleaning up around the hall and planting the planters in front of the hall. Tom suggested sending a thank you note.

Discussion on Town Maintenance:

- The Board went on the road tour on March 31st. The Cost Estimates came in. Liberty St, Eureka Lock road and Bell School road will be done as soon as possible. The Board will schedule a meeting to decide what else should be done this year. Tom said he would call Freunds to put some fill on Eureka Lock road until the County repairs the box culvert. The County said on Banner Hill road where damage had been done by Albright Bros –they would just scratch that up and then lay the patch. Albright Bros will be liable for some of the cost. Dan Stokes said that over by his house there is a culvert that is spilt. Freunds know about this and they are waiting till they can get in with a backhoe to dig it out. Tom did ask Freunds to fix the one by Ray Ellis and another one on Quarry. Peggy said that Bob Wolff stopped to ask the board about digging out the ditch. Tom Jackson would like the Town to look at a culvert that goes under the road that needs work.
- A burning permit was issued to the DNR for a G-II prescribed burn .25 miles due south of Liberty School Road, approximately 1 mile west of the intersection of Liberty School Rd and Spring Road.
- ***Motion by Schoonover, 2nd by Egan to accept the ditch mowing contract from Ripon Truck for the 2015 season. Motion carried.*** Jerry Schoonover mentioned that Freunds purchased a truck where they can get the higher limbs. Tom Jackson said that a few culverts were cut off on the ends. Tom will add this in the comment area of the contract.
- A letter was sent to Anna Kinslow for violation of Section 3.22 – accumulation of junk, salvage or litter in R-1. Tom stated that they drove by tonight and it is all gone. It looked like it was burned. A burning permit was issued, but they were told they could not burn the garbage.
- There have been complaints of Zillges pit concerning smell, odors in the creek & late hours of trucks. The Non-Metallic Mining ordinance states the hours should be 6 am to 6 pm Monday – Friday and until noon on Saturday. Kathryn Lewis has a concern on the speed on the trucks on Bell School Road. A letter will be sent reminding them of the operating hours, concerns of speed and express the concerns of the odors.
- Tom received an email from Scott Konkle with the permit photo for Arlo Pit. The Town had received a letter stating the bond will be canceled. Peggy talked to Dennis Wilke and he said he was closing the pit. Mr. Konkle has not heard from Dennis yet. As soon as he does, they will work out the direction forward in reclaiming the 6 acre mine site. The financial assurance for this site was provided as CD held by Fiduciary Partners. The scales, trucks, etc has to stay in case it is needed for collateral. Fred Kasten stated that reclamation should start as soon as possible.
- Peggy called Alliant to repair the light on Ann and Union St in Eureka.

Assessors Report – Larry Timm: Larry Timm had 3 residents for Open book today. The Board of Review is planned for May 22 from 5 – 7.

New Business:

- ***Motion by Schoonover, 2nd by Egan to approve the CSM for James Dodd, Omro, WI – Parcel #022 0757 and 022 0760 with Lot 1 being rezoned to A3 and Lot 2 to be A-2. Motion carried.***
- ***Motion by Schoonover, 2nd by Egan to approve the Text Amendments to Winnebago County Zoning Code, Chapter 23. Motion carried.***
- ***Motion by Schoonover, 2nd by Egan to approve Temporary Class “B” license to Waukau Community Youth Center and Waukau Flying Mane Horse Club. Motion carried.***
- ***Motion by Schoonover, 2nd by Egan to NOT allow telephone testimony for Board of Review unless taxpayer is ill or disabled. A letter to confirm their illness or disability would be required.***

Town Zoning: Dan Stokes reported on the Zoning and planning meeting held on April 29th.

Tom mentioned that the 10 yr comprehensive plan has to be updated. A committee will have to be formed. Last time over \$15,000 - \$20,000 was spent on the comprehensive plan which also included a lot of meetings. He was wondering if it should be hired out again or if the Town should hire Dean Kaderabek to head the committee. The ordinances will have to be finished up first and the update has to be done by December, 2015.

Tom stated this was very hard to do, but rules were set down so the Town zoning board terms would be staggered. Ellen Newman, Russell Lee, Jerry Schoonover and Dan Stokes terms are expired. Tom Egan appointed the following zoning/planning committee board:

Ryan Helmuth	3 year term
Tom Jackson	3 year term
Rob Resop	2 year term
Pat Kafer	1 year term

Motion by Schoonover, 2nd by Egan to approve the appointments. Motion carried.

A substitute will need to be appointed yet. Fred Kasten stated that Dan Stokes has served on the County's rewrite of their comprehensive plan. Tom Egan said that he should still serve on that committee.

Tom Egan appointed Fred Kasten as zoning administrator. ***Motion by Schoonover, 2nd by Egan to accept the nomination of Fred Kasten as zoning administrator. Motion carried.***

Peggy Hendricks went through the Town of Rushford, Winnebago County Public Participation Plan for Amending the Comprehensive Plan. ***Motion by Schoonover, 2nd by Egan to adopt the public participation plan and shall remain in effect until it is repealed or amended. Motion carried.***

Building Report – Thomas Egan:

- a. Knigge Farms, 4577 Poygan Ave, Omro, WI 685-5531
Steel roofing by L&K Builders, Larsen, WI
\$8000 4-07-15
- b. Jonathan Treleven for 7389 Bluebird Crossing
Parcel # 022 1450
New home; Sanitary permit 2015-SAN-196014
\$220,000 04/24/2015
- c. Kaleb Ranker, 8004 Broadway Rd, Omro, WI
Kitchen & bath remodel
\$15,000 04/29/2015
- d. Terry Treu, 4272 37th Ave, 410-3962
Calf barn built by Fred Laude Construction, Berlin
60 x 144 Pole Barn
\$90,000 04/29/2015
- e. Dan Terrill, 9549 Liberty School Road, 414-477-2978
Deck by Brew City Builders, West Allis
\$4000 04/30/2015
- f. David Schonscheck, 4435 Poygan Ave, 920-312-0438
Insulate home by AA Exteriors, Waupaca, WI
\$8510 05/02/2015

County Report – Thomas Egan:

- The County voted to not allow e-cigarettes in the buildings or vehicles.
- There is \$50,000 in the budget for the ash trees

Animal Report: Tom Egan said that the animal control officer called with complaints of guinea hens running on neighbor's lawn. Jerry Schoonover had a complaint that animals on the Erdmann property are constantly getting out and costing the neighbors costly repairs. A billy goat also went after his small daughter. Jerry did call Chuck Mier and we have not had a report on that at this time.

Reports of Attended Meetings:

- Peggy reported that there were 204 voters at the Spring election, which was a 20.42%.
- The annual meeting was held on April 15th with guest speakers being Sheriff John Matz, representatives from ORFD and Oshkosh Fire Department, Dean Kaderabek and Larry Timm. Hendricks also stated that the Town is doing very well on recycling. In 2013, the recycling was 90.33# per capita in the Town of Rushford. In 2014, it was 114.14# per capita. The average though out the state is 82.4#.
- Fred Kasten reported on the WTA meeting held April 23rd at the Town of Clayton. There was a panel of legislators present. Most of the discussion was on the budget. We are lucky in this area to have such great representation with Michael Schraa and Gordon Hintz.

Upcoming Meetings:

- Winnebago Disaster Assessment workshop on May 11th. Dan Stokes and Jerry Schoonover will attend this.
- Winnebago Disaster Assessment Workshop May 11 at the Winnebago Co Sheriff's Office from 6 – 8:30 pm
- Plan Commissioner 101 Network Meeting on May 18th, 6 pm – 8 pm – RSVP needed by May 14th
- Board of Review on May 22, 2014, 5 – 7 pm

Other Business: The Sheriffs representative was not present tonight, so Hendricks stated that at the annual meeting, the Sheriff discussed the meth problem in Winnebago County. The Towns website contains information sent by the Sheriff's department that shows signs of meth use and operations. A speed study was done in Waukau from 4/16 to 4/23/2015. There were 5229 vehicles with the average speed being 36.879 mph in a 35 mph zone. There was one vehicle that was clocked at 137 mph.

Tom Egan asked Russ Lee to be the first alternate and Dan Stokes as the 2nd alternate for Board of Review on May 22nd. Both accepted.

Books were audited

Motion by Schoonover, 2nd by Egan to adjourn at 9:15. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk