

Rushford Town Board Minutes
Thursday, April 7, 2022

The Town of Rushford April Board meeting was called to order by Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Jerry Schoonover, Patrick Kafer, Kathryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 18 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of this meeting with the date change, and the road tour was posted on the Town hall door, the corner of K&E in Eureka, the Waukau post office and the Towns website. In addition, notice of meeting of the Board, application of liquor license and testing of election equipment was published in the Oshkosh Northwestern.

Clerks Report: *Motion by Schoonover, 2nd by Kafer to approve the minutes from March 2nd. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance for the general account at the end of March was \$332,418.73. The balance in the tax account was \$1821.63. *Motion by Kafer, 2nd by Schoonover to approve the treasurer's report. Motion carried.*

Payment of Monthly Invoices: Hendricks approved and submitted to the board the bills for April in the amount of \$21,267.62. *Motion by Kafer, 2nd by Schoonover to approve the payment of April 2022 invoices. Motion carried.*

Public Input: None

Communication & Correspondence: Hendricks read an email from a resident regarding parcel #022 047101 and 022 04710101 on Broadway. The email said the neighbors are worried about the conditions, lack of space for up to 3 horses & the pen is small and muddy. They were wondering what the ordinances were for horses. They said on Cty Rd W & Delhi, who had to have his horses removed and he had a much larger pasture. Egan verified with Tom Jackson, that the Town did not have anything to do with the removal of the horses on E & Delhi. Jackson said according to our ordinances, they can have 2 horses. A letter from Shelia Smith, Winnebago County said they would need a permit completed by the Land & Water Conservation Dept. If the owners were considering any ditching or berming, his land is partially in Shoreland zoning and partially in DNR wetlands. He would have to be cleared by Winnebago County Zoning and the DNR. Jackson's suggestion was to remove the horses until he gets his permits and information from the County and the DNR. Mike Engstrom, 7990 Broadway Road said the property owner, Steven Lloyd, has already been digging with a backhoe on his property. Jackson said this has nothing to do with the Town. This would be discussed with the County because it is in shoreland zoning. Steve Lloyd gave information about himself and his family. They moved to the area and their 2 parcels come up to 3.41 acres. They currently own 2 horses and will take care of the permits immediately. They were looking to help rescue horses, one or 2 a year. To keep them for about 4 months for rehabilitation and then to give them to a good home. Egan said it is not on the agenda, so the Board would not consider anything, but with the amount of property they have, they can only have 2 horses. Lloyd said their neighbors, the Engstrom, have complained about mud on the roads, Lloyd driving through his own yard, horse neglect due to standing in muddy pastures, the berm he is working on which he is working with the DNR on. He said well water from Engstroms has been flooding his property, excavating his own yard, their dogs among other things. He read a state statute, 174.01 talks about when a dog can be killed when it wounds domestic animals. Lloyds said they have talked to all the neighbors and none

except for a couple have a problem with what they are doing. Becky Herbst, 8004 Broadway Rd, is a neighbor of both parties. She is concerned for the health and safety of the horses. She says they are very close to the road which could cause concern when walking a leashed dog and being in a muddy pasture with mud up to the hocks. This could cause foot rot. She is concerned with how close to a water way the horses are being kept. She is concerned with the removal of the manure and possible contamination of the wells. She said she does not have a problem with the horse, she is just concerned that the horse and land is being taken care of. She also does not care for items that are being stored on the property. Egan said this is not a Town issue. It sounds like it is more a neighbor issue. Lloyd will have to get permits from the County and the DNR.

Hendricks read a letter from the Division of Industry Services that gave Pompys Rentals, 3160 Cty Rd E, Eureka, WI 54963, permission to start construction on the storage buildings

Town Zoning Report: Mr. Steve Hoffman was at the meeting to get a CSM signed for AO 9686 River Rd LLC. This CSM was tabled from a previous meeting because the Board had questions and no one was available to get the information to the Board. No one contacted Hendricks so this was not on the agenda this month so it could not be voted on.

Tom read a letter from Cramer, Multhauf & Hammes, LLP who represents Lily Pond LLC C Series which is an affiliate of Byline bank which is the record owner of outlots 1 & 2 of Blue Belle Farms Subdivision. These two outlots were included in the foreclosure. No accommodation was made for conveyance of the Outlots. The notes on the recorded plat says Outlots 1 & 2 to be owned by all lots adjoining said outlots, respectively. The attorney proposed that Lily Pond LLC C Series would quit claim deed to the adjacent owners an undivided fractional interest in the respective outlots. Dan Habeck was wondering if this would be acceptable to the Town.

The attorney has contacted some of the owners. They do not know the proper way of doing it or purchasing it. Jackson talked to the attorney and asked how back taxes would be handled. and what the procedure would be. They said what ever the Town Board would agree to. The owners would have to record with the County Clerk a pond maintenance plan, the deed and transfer tax. Egan said the Town does not want the pond. Terry Goodermuth, 7311 Bluebird Xing, said all the neighbors would be interested in taking care of what is left for taxes and they are all willing to step up. They have all been maintaining it this whole time. Trevor Krueger, 3435 Chickadee Dr, said all the neighbors on the other side has said the very same thing. They have just been discussing the best way to buy it. They could not put it in a LLC, for it is very hard and expensive for insurance. They could put all the owners on one deed for the outlot. Egan said if they all agree, they should get together with the attorney and buy it from the bank. The attorney has not heard from the bank and no one is getting back to them, but the bank does want to get rid of it. The attorney has no idea on what the bank wants to do. The neighbors would like to do something before it gets foreclosed on so it does not go to the County. Jackson will contact the attorney tomorrow and see if he can get an answer from the bank. All the owners are willing to have a conversation with the attorney and the bank. Larry Timm said it would be wise to have the description changed so it can not be separated. Kafer suggested that an attorney look at it so it stays with the adjoining lots. Egan said what ever the landowners agree, for the Town does not want to own the ponds.

Jackson reported that the Town is very limited on regulating solar power.

Old Business:

Tom Egan was contacted by someone from Manitowoc County who has been very instrumental on information pertaining to the Rushford Church and the housing of sex offenders. The owner who purchased the property said he would sell it, but he would want the \$80,000 which is what he paid. There are two more court hearings on April 26th and June 23rd.

Tom Egan said there is a shed on Blue Belle that was not on the tax bill after 2 years, but now it is. Timm said he was not aware of the building for there was not a building permit taken out. The building is on skids. Timm said all buildings are taxable.

Discussion on Town Maintenance: A road tour is scheduled for April 14th.

Building Reports:

W.E. UMC, 8832 Wisconsin St, Omro, WI
Handicap ramp at church built by members
\$3,500 3-5-22 Parcel# 022 1500

Bob Freid, 3181 State Hwy 116, Omro, WI
12' x 24' wood shed built by Perry Mast
\$7,200 3-21-2022

Turning Point Door County, 533 Michigan St, Sturgeon Bay, WI
For 8494 Hwy 21, Omro, WI
Add wall - remodel
\$840.00 3-21-2022

Russel Pomplun, 3160 Cty Rd E, Eureka, WI
Storage sheds 48' x 112' built by Nemo Builder, Weyawega, WI
\$125,000 3-24-2022

William Rew, 3092 Cty Hwy E, Eureka, WI
Remodel - fix walls, flooring, dry wall and light fixtures by John Putzer, Omro, WI
\$20,000 3-24-2022

Jodie Delouch, 2635 State Rd 116, Waukau, WI
Deck remodel by Rayome Residentials LLC, Waukau, WI
12 x 30 deck
\$7,000 3-29-2022

Rick Bohnert, 3422 Bell Line Road, Omro, WI
Windows by Window World
\$12,000 4-12-22

County Report: Elections were held this week . They have 14 new County Board members and there are two run-offs.

Assessor Report - Larry Timm: Larry has finished the assessments for this year.

Board of Review will be Thursday, May 26, 2022 from 5 pm - 7 pm

Open book will be Tuesday, April 26, 2022 from 3 pm - 6 pm

Attended Meetings:

Special meeting of the Board on March 24, 2022 – Liquor license granted for Rew’s Roadside and possible vaccination clinic at the Town hall.

Election equipment testing on March 28th at 10:30

Wisconsin Town Association District meeting on April 1st at Royal Ridges – There was board of review training, discussion on ARPA reporting and infrastructure grants.

Spring Election on April 5 – There were 216 voters for the Spring Election.

Upcoming Meetings:

Road Tour April 14th at 9 am

Annual Meeting at 6:00 on April 20

Zoning meeting on April 27th at 7:00 pm

Motion by Kafer, 2nd by Schoonover to adjourn the meeting at 8:25. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk
