

Rushford Town Board Minutes
Wednesday, December 6, 2023

The Town of Rushford December Board meeting was called to order by Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Tom Egan, Pat Kafer, Jerry Schoonover, Kathryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 15 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of this meeting, the public hearing for budget, the meeting of electors, notice of budget workshop and notice of meeting of the Board for road ratings was posted on the Town hall door, the corner of K&E in Eureka, the Waukau post office and the Towns website.

Representative from the Sheriff's Office – Sheriff Matz – It is holiday time and Sheriff Matz explain certain precautions to take with packages being delivered. There has been a substantial number of fraud cases. Be aware – do not give out your information. Call the Sheriff's office if you have had this happen. The patrol has been increased in the Town of Rushford. They have been handling some of Fox Crossings patrol since 1991, though it is not their jurisdiction. They wanted to get more of the patrol back to rural areas, so they have to give them back what they are responsible for. The Department of Revenue has a rule that says if you provided services the year before, you are then responsible, even though it is not in the jurisdiction. They are in negotiations with the Department of Revenue at this time. This is holding up the tax bills right now.

Clerks Report: *Motion by Schoonover to approve the minutes from November 1, 2023. 2nd by Kafer.. Discussion: Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance for the general account at the end of November was \$187,561.97. The balance in the tax account was \$2,006.67 *Motion by Schoonover, 2nd by Kafer to approve the treasurer's report. Motion carried.*

Payment of Monthly Invoices: *Motion by Kafer, 2nd by Schoonover to approve and pay \$38,940.35 for invoices for November. Discussion: Tom Egan said that when people pick up items for the Town, should sign for the pickup so the Town knows who picked up the supplies, items, etc. Motion carried.*

Public Input: Fred Hart, 8818 Fairview, Berlin, WI, stated that the speed bump put on State St is a hazard. Egan said Friends will go out there and look at it so it is not such a bump.

Steve Lloyd, 7972 Broadway Rd, Omro, had a couple items he wanted to address. They have had noise and animal complaints, complaints of them driving tractors on their own property, cutting down trees on their property. He is upset that the Township keeps sending people out to his house. They do have animals and roosters and they have tried to appease their neighbors by butchering some of the noisy roosters, they had decimal readings taken on their property. He feels he is legal in everything he is doing. Emails have been sent to neighbors and have also been sent to the Board. He wants to know how the Township is going to handle this. He feels harassed. The Town has showed up 32 times. He feels his hands are tied and will take legal action to handle the situation. He wants to know what the Town needs from him to stop them from coming out to his house. He feels they have done their due diligence.

Becky Herst, 8004 Broadway Rd, Omro – She says she is affected by the Lloyds activities because she has a child who sees swear words on his signs and even though it is not illegal, it is not right.

She feels she is being harassed with vehicles going by and revving up, lighting shining into the road and in yards.

Elizabeth Engstrom, 7990 Broadway Rd, Omro. They are the next-door neighbors to Lloyds. She feels that she is also being harassed. She can hear the noise with the windows closed and feels that our Town ordinance should pertain here to disturbing noises. She is getting finger signs along the fence line saying, "My rights don't end where your feelings begin." Many of the signs have profanities on them. There is a camera right on the lot line directed at their property. She says he has chased her down the road in a vehicle, she has heard that he said he was going to kill her, and he told a neighbor that if she flicks him off again, he will kill and bury her in the back yard. He also plays blaring music out of a speaker on the lot line.

Rebecca Poppy, 2868 Morrow Rd, Omro – She is with the Newcomers 4-H group that also uses the hall for their meetings. They are requesting to put up some kind of a trophy case in the Town Hall. Either the Town can provide it, or they would go half and half on one. Egan said they would have to think about it. He asked how big she was thinking. She said as long it was wide enough to hang a banner inside with some shelves. Egan said the Board will put some thought into it.

Steve Lloyd said in the 30+ times his house has been visited by anyone from the Town, they never heard any noise, animals, radio or anything. They have done everything they could to accommodate the neighbors and the Town. They got rid of 6 roosters. He feels if the Town had found or heard anything, it would be documented. They do have the right to farm and to do everything they are doing. He said he is sorry if that is an inconvenience to someone who does not want to live in the country. They butcher their own chickens and pigs. He feels he is within his legal rights, and he does not plan on changing anything. He does have flags in his yard along with multiple security cameras. He is tired of people telling him what he can and cannot do on his own property. He feels he has addressed the lights. The lights have been moved off the road and turned down to match the legal standards. He said if there is something he is doing wrong, call and come out to verify he is in his legal rights.

Dawn Courter, 8012 Broadway Rd says that she agrees with the neighbors. The lights are ridiculous. They live in the country to not have all the lights and for peace and solitude. She does not feel someone driving up and down the road revving their engines is very neighborly. There a lot of things happening. He does know his legal rights and he goes right to the line.

Communications & Correspondence:

Kafer told Ms. Poppy that if the Board did do something with the trophy case, he felt a smaller one with only a couple years of trophies in that you could rotate with others, for the hall is not that large. The Board will have to decide on where to put it and they will work out something.

Pat said they met with Adam, the director of Parks for Winnebago pertaining to Eureka Park. The email was from him, & was concerning some funds where money could go into from the Eureka Daze monies. The committee has to meet and discuss this.

Egan said the County was talking about fixing around the Waukau Park. This is also where the Fire Department is when they need water. They were planning on doing a lot of work down there, but the DNR came in and they don't know if they will get the grant or not.

Hendricks said she got a call from a contractor wondering about permits required to demo a building at 7436 Mechanic Street in Waukau, This is the Carlsons property. Egan said he was hoping they were talking about both buildings.

Old Business: Discussion on violations for Curt Carlson, parcel #022 0968 and Spencer – parcel #022 0865. Attorney Blazel was present and explained he would proceed with all the notices. He has not been contacted by Carlson and the news of razing the building was good. He is hoping he will be contacted with a time frame. Both buildings are in bad shape. He will proceed with that. There is no mortgage on the property, so we don't need to give notice to any lien holders. As far as

the Spencer property is concerned, he did file the Summons and Complaint for the condition of their property. It was filed on October 25 and they had 20 days to respond. It ran out on the 30th. He will get a court date for the forfeitures to ask for a default judgment and impose the forfeitures. He has not heard from the Spencer's because we would rather get compliance than money from them. In the next month the judgement should be issued.

It was asked if the taxes were paid off on the Carlson property. Blazel said it appeared all the taxes have been paid.

Egan said we have heard discussion on the Delhi property from both sides and asked what the Town attorney thought. Attorney Blazel said some of the issues are civil, such as harassment. Some of the concerns could fall under the Town's municipality code, such as lights shining off their property. Threats to your life or health and loud music would probably be the Sheriff's department jurisdiction.

Signage in the road right away or lights would fall under the Town of Rushford to enforce. The attorney said a properly placed sign is legal and with the 1st amendment, the signs might be crude and vulgar, but the Town cannot enforce that. This might be a civil issue with the property owner to stop harassment against the neighbors. If the sign is overly vulgar, it might be disorderly conduct with the Sheriff's department.

Egan asked about the cameras looking over to the neighbors. In a different jurisdiction this same thing came up. There the police said they didn't have any ordinances against it. Surveillance cameras are perhaps in another category. They are 24-7. This is probably something the Town could not enforce. Pertaining to the music, that would probably be the Sheriff's department.

Sheriff Matz said some of the concerns he heard could certainly be called harassment, such as the cameras and music. Sheriff Matz mentioned a possible solution through County Services, such as mediation services. He added that one thing that scares him is that these can escalate very quickly, and people can get hurt. He also added that they will continue to respond to calls as they are called, and sometimes it is just for documentation. Egan told Mr. Lloyd that his lights had been brought up again. He said he did not know if anyone had been out there lately, but he can not have the lights shining in the right of way. Lloyd said by ordinance, they had to be at a 45-degree angle which they are. Kafer disagreed that was in our ordinances. He said they are shining in the road right away. Chuck Freund said he went by tonight and saw the lights. The mailbox light was removed, but they are shining in the road right of way. In our ordinances, it states the lights should be shielded, which they are not. Lloyd said he would take care of that tonight. Egan the Town might be moving the street sign and Freund's will be doing that. Lloyd said the lights are up because he has a high value of vehicles on his property. Kafer asked if the Town should send a letter, so they have something for documentation, to Mr. Lloyd that he is in violation of that ordinance. Attorney Blazel agreed. He also suggested mediation services through Winnebago County. The courts have worked a lot with the department. It is a good process and has been around for a long time.

Egan asked both sides to please work on this and the Town will do what they can, but a lot of it is up to them.

Discussion on Kasuboski summons and complaint. Jackson asked if the Board received copies of the Summons and Complaint. The Board said they approved the complaint language. It was mentioned that they thought he was living there, for smoke was seen. Jackson said Attorney Muza would need documentation before something could be done with that. A picture with the date stamped on. ***Motion by Schoonover, 2nd by Kafer to authorize Attorney Muza to file suit in Winnebago Circuit Court against Roger Kasuboski. Motion carried.***

New Business:

Appointment of 2024-2025 poll workers. *Motion by Kafer, 2nd by Schoonover to appoint Bonnie Barkow, Cathy Jahn, Sharon Wolff, Linda Kronschnabel, Sherrie Wilson and Jana Secord for the 2024-2025 election term. Motion carried.*

Discussion on Town Hall Maintenance: All the lights in the hall and office have been replaced with LED lights. Hendricks also mentioned that in the approved budget, there was money set aside for a new floor in the hall. In January she will start getting bids.

Discussion on Town Maintenance: Complaints were brought up about the speed bumps that were requested and installed. One has been taken out and the other one will be looked at. Friends said they could add cold mix to the one to make it more mellow. Egan was wondering if the road sign down by Broadway could be moved, for it is covered with trees. Kafer said that on Ivy road, if Friends could push snow off to the side. It was asked if road work will be done on Broadway in 2024. Egan said it will go on the list with the others to look at.

Building Reports:

Trevor Krueger, for 3454 Chickadee Dr, Omro
New Home built by Huisman Homes
1969 sq ft first floor and 1223 sq ft lower level
\$618,000 Parcel# 022 1433 11-14-2023

Dave Keran, 3097 Quarry Dr, Omro, WI
Window replacements by Window World
\$6,000 Parcel# 022 064401 11-10-2023

Steve Wolff, 7505 Cty Rd E, Omro, WI
Repair fireplace
\$10,000 Parcel #022 051604 10-5-2023

Mai Krenzke, 7400 County Rd E, Omro, WI
30' x 24' addition by Prime Properties, LLC
\$62,000 Parcel #022 05100102 12/3/2023

County report: Egan said the Sheriff explained earlier why the tax bills were being held up in the County. Egan presented the County Budget for anyone to look at. Everyone is up for re-election next year in April.

Attended meetings:

The Board met for a budget workshop on November 20th. Right before this meeting, there was a public hearing on the budget and the meeting of electors to approve the levy. The levy for 2023 to be paid 2024 for the town of Rushford is .002855

Upcoming meetings:

The Board will meet on December 7th to go through road ratings. The end of the year meeting will be held on Dec 28 to pay all of 2023 outstanding bills.

Motion by Kafer, 2nd by Schoonover to adjourn the meeting at 8:05. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk
