

Rushford Town Board Minutes
Thursday, February 5, 2025

The Town of Rushford February 2025 Board meeting was called to order by Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Tom Egan, Jerry Schoonover, Katheryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 7 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 Zoning meeting & the Public hearings for January 29th the corner of K&E in Eureka, the Waukau post office and the Towns website.

Clerks Report: *Motion by Schoonover to approve the minutes from January 9, 2025. 2nd by Kafer. Discussion: Motion carried.*

Treasurers Report was given by Katheryn Lewis. The balance for the general account at the end of January was \$264,452.19. The balance in the tax account was \$1,186,890.28 *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 \$114,079.91 invoices for February. Motion carried.*

Public Input:

Bonnie Barkow, 3535 Cty Rd K, Omro, WI stated that the Board should appoint another zoning committee member, for one of the appointees have only made one meeting since he was appointed. His term is up May 2026.

Joe Schuster, 8036 Ferry Lane, Omro, stated by ordinance the Town is in charge of maintaining the bouys in the river. He would like the Town to purchase one, for there is a bouy in Delhi that is not floating. Joe puts the bouys in and takes them out. Egan asked if he would get a price and if he would purchase it, it will be on the agenda for March. Joe was also wondering if Ferry Lane will be considered next year for road work. The road is in very bad shape. Egan stated that they will look at the road during the road tour. Last year minimal work was done because of the new house being constructed.

Communications & Correspondence: A letter was received from the WI Dept of Safety and Professional services. Pertaining to 3928 Cty Rd K, Omro, WI – a Conditional approval was granted for a new building, major occupancy: S-1 – Storage Moderate Hazards that explained the conditions.

Old Business: Updates on Kasuboski: Freund stated court was held on January 22, 2025. In this court order, the defendant is immediately enjoined from further use or occupancy at 3375 State Rd 116, Omro. The defendant will be enjoined unless and until he meets all requirements of the State & Rushford building inspector to permit occupancy. The defendant is hereby assessed a fine in the amount of \$50/day for 377 days for non-compliance for a total of \$18,850 plus cost. This is Stayed until 2/4/2025 to allow the defendant to obtain full compliance and to clear all debris from the property site. Chuck Freund said he did clean up the outside property, but the concern with the Town is with use of the property and occupancy. According to the order, he can not get occupancy until conditions are met. Chuck is looking for Board decision on what they would like to do. Roger Kasuboski, 3375 State Rd 116, Omro, WI, was present and requested permission to be allowed to go in to water the animals. He stated he is living in Berlin but is able to take care of the animals at the property. Freund stated that the Town is not denying him care of his animals. There just is no further use of the property until he has a redesign the house, get a new building permit, contact the new State inspector and build the house on top of the basement that is there. Egan said he has no problem with that. We will take his word that he will not be staying there. Kasuboski stated he has wood heat in the basement. There is a fuel heater, but it is not installed yet. He would like permission to be able to use the wood furnace, so his water does not freeze. Kafer said he is fine with the heating and watering of the animals, but to remember he can not occupy the

property. Kafer just wanted him to be aware of that. Schoonover asked if he has any plans to continue working on the house. Roger said he is trying to regroup. Egan said he did not really clean up the property. He just took his stuff and moved it about ½ mi down the road. All the unlicensed vehicles, tires, and other items are still there. Kasuboski said 2 weeks was just not enough time. Chuck said Roger did ask for an additional 30 days to clean up the items he just moved. Chuck said that was granted. This is not recorded in the court proceedings, but it is recorded in the minutes. The date will be March 5th. There will be a follow up before the next meeting to have everything he moved down the road, cleaned up. The Town will allow him the extra 30 days and if it is not cleaned up, it will go back to court.

Updates on Spencer Property- Out attorney sent and order and complaint for review and sign if agreeable. They have done very little on cleanup and there has been no contact. The order will allow the Attorney to file and action in circuit court if they do not abate the nuisance. This will be served to Spencers and if it is not cleaned up within 30 days of being served, the lawsuit will be filed. If the Town is successful in obtaining judgement, this lawsuit will allow the Town to clean up the property and charge the costs against the property as a special assessment. ***Motion by Schoonover, 2nd by Kafer to approve the filings in Circuit Court and serving of papers as stated. Motion carried 3-0.***

Town Zoning Report – Eric Freund: There was a zoning meeting on January 29th. All the items in new business was discussed at the zoning meeting.

Sheriffs report: Deputy Noffke was present to answer questions from residents. It was asked if a person could call in a welfare check on a parcel to see if the property is being used correctly. He stated they will go out, but if there is an order where there is no occupancy, they can not remove them. He is not completely sure and will get back to Eric Freund. They would verify the information to the Town. Mr. Freund will give them the injunction for their information.

New Business: Conditional use permit for Tom Schroeder, 3143 Cty Rd E, Eureka, WI 54963 for Parcel #022 1557. He would like a roof to the existing 18x20 open car port with the agreement the CUP will expire when Schroeder vacates the property and this would include removal of 2 trees or more for sight line at the corner of Spring Street and Hwy E. ***Motion by Kafer, 2nd by Schoonover to approve the CUP with the agreement with the agreement to remove the trees for sight line and when Schroeder vacates, this CUP will expire and the car port will have to be removed. Motion carried 3-0.***

Conditional Use permit for Brian Wilke, parcel 022 00220203 located at 4733 O'Reilly Road, Omro, WI. He would like to add gravel for outside storage in the area of the pending #3 & #4 future buildings. This would include proper water drainage for outside storage in that area. Per recommendation from the zoning committee, no other permits allowed until gravel lot is completed and he will need to return for Building permits for future Building #3 and 4. ***Motion by Kafer, 2nd by Schoonover to approve the CUP as stated above. Motion carried 3-0.***

CSM for Brian Wilke, Parcel #022 00220202. This was previously 3 lots which was combined into 1. He would like to divide the 23.04Ab parcel back into 3 separate lots. Lot 1 for pit and possible residential, Lot 2 and Lot 3 for residential and farmland. Lot #2 has a driveway which will give easement rights to Lot #1 and Lot #2. ***Motion by Kafer, 2nd by Schoonover to approve the CSM as stated above. Motion carried 3-0.***

Zoning Change for Brian Wilke, parcel #022 00220203 located at 7770 Liberty School Rd, Omro, WI. Mr Wilke is asking for the pending CSM Lots be changed from GA to LER. Lot #1 for pit and residential at 7.04A, Lot #2 at 5.196A and Lot #3 at 10.805A. ***Motion by Kafer, 2nd by Schoonover to approve the zoning change as stated above. Motion carried 3-0.***

CSM for Joe Schuster, parcel #022 047012 and 022 047011 (8042 Ferry Lane). He owns both parcels and would like to adjust the lot line around the existing buildings to match the occupation for each as single family residence. Per zoning committee – set backs are not met for new lot lines/buildings, with current property lines tracing though existing buildings. The new lot line runs around all existing buildings. Per zoning committee – to approve the CSM with setback minimums not met with the understanding that any future buildings would need to adhere to current town setbacks. Lot 1 has an address of 8042 Ferry Lane, Omro, WI and Lot 2 has an address of 8036 Ferry Lane, Omro, WI. ***Motion by Kafer, 2nd Schoonover to approve the CSM as stated above. Motion carried 3-0.***

CSM for Raymond & Renee Smith and Warren & Gloria Bohn Revocable Trust, parcels #022 000401, 022 0004 and 022 000206. The property owners have an agreement to alter the parcel lines along their lot lines. This CSM was done to alter lot lines to match GIS. There has been mediation between both parties and they want to match description to the deeds. ***Motion by Schoonover, 2nd by Kafer to approve the CSM as stated above. Motion carried 3-0.***

EMS Discussion – Consider Commencing work to Establish new EMS District. The Town is interested in working collaboratively towards the goal of forming an EMS district within the coming months. ***Motion by Kafer, 2nd by Schoonover to approve working with neighboring communities to establish a new EMS district. Motion approved 3-0.***

Agreement between Omro Fire Department and the Township. The Fire Department has not updated their contract with the Town of Rushford, Town of Omro or City of Omro since 2005. A new contract has been made out with minimal changes. ***Motion by Kafer, 2nd by Schoonover to table until Attorney Blazel has a change to review it. Motion carried.***

County Report: Egan mentioned that the County Executive will be voted on first at the February election, so it is recommended to get out and vote.

Upcoming Meetings:

February Primary on Tuesday, February 18th from 7 am to 8 pm.
Omro Joint Fire Department meeting on 2/19 at 7:00
EMS meeting at the Town of Omro on February 25th at 6:00 pm

Motion by Kafer, 2nd by Schoonover to adjourn the meeting at 8:05. Motion carried.
Respectfully submitted by Peggy Hendricks, Clerk