

Rushford Town Board Minutes
Wednesday, November 6, 2013

The Town of Rushford November Board meeting was called to order at 7:00 pm by Chairman Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Gerald Schoonover, Patrick Kafer, Kathryn Lewis and Peggy Hendricks present. Also present for all or part of the meeting: 9 additional persons per attendance record on file.

Statement of Public Notice: Notice of this meeting and the planning committee meeting was posted at the Town Hall, the Waukau post office and the corner of K & E in Eureka. In addition, the election equipment testing was published in the Oshkosh Northwestern. Notices were mailed to Town Board members and the Zoning Administrator.

Sheriff's Report: Officer Ripple was present to answer questions and concerns.

Clerks Report & Minutes: *Motion by Schoonover, 2nd by Kafer to approve the minutes as presented for the October 2nd, 2013 Town board meeting. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance at the end of October in the general account is \$152,587.09 The balance at the end of October in the tax account was \$323.59. *Motion by Kafer, 2nd by Schoonover to accept the treasurer's report. Motion carried.*

Payment of invoices: Peggy Hendricks approved and submitted to the board the bills for November in the amount of \$18,168.28 for approval of payment. *Motion by Kafer, 2nd by Schoonover to pay November's bills as submitted. Motion carried.* Thomas Egan inquired if the clerk was going to bill the school election to Berlin School District. Hendricks replied she was waiting for the newspaper ad and she would then send the bill to Berlin Schools.

Public Input: Patsy Pomplun inquired about the hall maintenance fee that the town has almost every month. Hendricks stated it was cleaning the hall. She does it and it is \$15/hr. In Mrs. Pomplun's opinion, she feels the cleaning should be done by someone else for the clerks time is too valuable to be cleaning.

Pat Schoonover stated that there are limbs on the south side ditch on Archery Drive. He was wondering if it was alright if he cleaned that up. The Board would appreciate it if he would do that.

Communications & Correspondence: Tom Egan reported the following:

1. A letter from the DNR on application approval with a few limitations for David Barbola to restore or enhance a wetland near the Fox River, Town of Rushford, NE ¼ of Section 31, Township 18N, Range 14E. This letter will be kept of file in the clerk's office.
2. Mr Egan said he talked to our attorney's secretary on the dog incident in the Town of Rushford. Certified letters were sent to both parties and neither was picked up. Attorney Blazel then followed through with a regular letter on October 14th which was not returned. The Board needs to decide under Old Business what the Board wants to do.
3. Peggy Hendricks read a thank you note from Stephany Beck - Miss Rural Winnebago, for the opportunity to participate in the Bridge Opening Ceremonies.
4. Peggy Hendricks received a CD of the Bridge Opening Ceremonies from R.A. Smith National and pointed out the digital drawing they presented the Town at the bridge opening ceremony.
5. On display is the painting of the old bridge that Allisa Ewald presented to the Town at the ceremony. Hendricks will take this in to be framed.
6. Tom Egan reported on the bridge opening. It was a very nice day with a good turnout and several speakers. Hendricks reported that there were nice articles in the local papers and she will have them laminated to preserve them for the future.

Discussion of Town hall maintenance/needs: Kathryn Lewis stated her computer needed computer work and her laser printer needs HP toners. Hendricks purchases generic toners and the repair person suggested purchasing HP toners. Hendricks said that toners cost more than the printer itself. It might be wise to look into the newer lasers and the cost of toners since there has been much improvement in recent years. This is something that can be looked at budget time.

Tom Egan asked if someone was going to come and repair the cracked tiles along the wall. Mr Wesner was contacted and he agreed to do the work this winter.

Tom Egan talked to some of the Master Gardeners to come and clean up the outside plantings.

Fred Kasten said the light was not shining on the flag. Pat Kafer said that the "R" in Rushford on the building is not showing. Mr. Kallas should come out and re-adjust the lights.

Discussion of Town Maintenance: The holes that need patching in the roads will be done before the snow comes. The road side mowing is done. Tom Egan stated he thinks they did a great job on the mowing. There were a small number of people who thought they went beyond road right aways. It was mentioned that they went very slow, but that could be because of the brush and stumps in the ditch way.

Freunds Excavating is ready for the snow. Tom did mention to the County about purchasing the salt though them.

Old Business: Tom Egan read a letter from the Town Attorney about Blue Belle Farm Subdivision. He could not tell with certainty whether the roads were dedicated to the public or not. It was suggested to have a title company conduct a brief search to confirm. The letter explained what the town has to do and what the town can do for road maintenance cost. The Town can take the money out of the general fund or assess the cost to the property owners and have the costs of improvements paid back to the Town over a period of time. Tom talked to the Town of Omro who had this similar instance and they assessed the cost to the property owners. Tom Egan suggested doing nothing unless someone contacts the Town. **Motion by Kafer, 2nd by Schoonover to have the attorney order a title search on the property. Motion carried.** Pat Kafer said that the Town should at least mow to the first home in the subdivision. Tom Egan will contact Attorney Blazel.

Tom Egan had talked to the attorney about the dog incident. Letters were sent giving both owners time to come and purchase dog license. Neither has yet at this time. The Board can have the constable deliver another letter to both owners, or the attorney can send out fines with costs and have Winnebago County take over. The Town Ordinances state fines are from \$25 to \$1000 for first offense. Hendricks stated that Mr Mier starts fines for first offense at \$25. **Motion by Schoonover, 2nd by Egan to fine Thomsen and Augsburgers \$25/dog for non-licensing plus cost. Motion carried with 2 -ayes, 1 abstained.** Tom Egan will contact Attorney Blazel.

New Business: Motion by Kafer, 2nd by Schoonover to sign the Joint Powers 911 agreement for 2014. Motion carried.

Motion by Kafer, 2nd by Schoonover to accept and sign the Town Assessors agreement for Timm's Assessing Service for 2014. Motion carried. Mr. Timm stated that the costs have not changed for many years. The board is very appreciative.

Larry Timm gave an assessors report on his training class in Wausau.

Motion by Kafer, 2nd by Schoonover to accept and sign the 2014 Animal Contract with Traxlers Kennel & Pet Shop. The cost is \$200/year. Motion carried. Mr Egan stated that an injured cat was taken in and Traxlers had to pay to have it put to sleep. The Humane officer is not to take in injured cats. Mr Egan told Traxlers they could send the bill to the Town, but they did not. He also stated that some animals are being bought in and being claimed by people who are not residents in the Town of Rushford.

Motion by Schoonover, 2nd by Kafer to rent the Town hall to Randy Whitiker, Den leader for children in the Town of Rushford and surrounding areas, free of charge with the understanding that the hall be cleaned and left as they found it. It would also be appreciated if the Scouts would help clean up the outside area in the spring to fall months. Motion carried.

It was also suggested that the 4-H club be asked to help with outside maintenance work during the warmer months.

Town Zoning Report - Daniel Stokes: Mr Stokes reported on the meeting held October 30. Topics discussed was culvert spacing for heavy equipment, the animal ordinance, commercial & ag properties and

the ordinance compliance within the township, the Roger Kasuboski property and a town tour in the spring for gravel pits and non-compliance properties.

Pertaining to the animal ordinance, Pat Kafer asked if the Town could only remove animals in a R-1 zoned property. It was stated this is in the Town's ordinance, but the animal ordinance was written later and is more extensive. Fred Kasten suggested that the Town attorney go through the animal ordinance. It was also explained that separate fines can be given for non-licensing, non-vaccinations, etc. Mr Egan will confer with the attorney.

Fred Kasten stated that Roger Kasuboski conditional use permit has expired. He should be notified that the permit is expired and he has to apply for another one. Any equipment that is on the property that is not agricultural will have to be removed. Pat Kafer stated that usually the permit is reviewed and extended if acceptable. Kasten said he is in violation of the CUP. Kafer said in his opinion, if he is going to have trucks there, he should just let the Town know. The trucks and trailers will have to be addressed.

Tom Egan stated that when the planning committee goes on their tour, it is possible to get Scott Gonkle from the State to go along. Fred Kasten will call and set up an appointment.

Tom Egan is concerned how they are going to be able to plow snow behind the Waukau church because of the vehicles. Mr Kasten stated that a letter should be sent and explain that all unlicensed vehicles have to be removed off the road right away. It is unknown if the vehicles are licensed or not.

County Zoning Report – Fred Kasten: Fred reported on the Winnebago County Unit meeting on October 3 in the Town of Vinland. Use of rifle for the 9 day gun season was discussed. The County could not guarantee enforcement if a Township decided to stay with shot gun only. It is thought that all Townships went along with the State's recommendation to allow rifle for the 9 day deer season except for the Town of Oshkosh. Also discussed was Towns and Counties working together to provide services, eliminating duplication, etc.

Building Report, Tom Egan:

Donald M Tritt, 3057 St Rd 116, Omro
30x45 lean to pole shed, post frame built by Cleary Builders, Greenville
\$16500

Dennis Retzlaff, 4744 Cty Rd F, For 9224 Liberty School Road
Remodel, new construction and garage, finish work by self
\$25,000

Jim Albright 3711 N Cty Rd K, Omro, 685-5879
Pole shed on concrete slab – 36x54 for storage
\$20,000

Chairman Egan explained about a building permit he will be getting from Waukau. There is a small garage and shed where the old barbershop was by Trails Inn. Across the road is the big brick garage and beside it is a colored garage. He is going to move the small shed first behind the garage across the street and then he is going to move the other bigger shed. This property is zoned commercial. Tom wanted residents to know that this work would be going on.

County Report – Tom Egan: The County budget is passed and should be a little lower than last year. They are thinking about knocking down the airport terminal and putting up a smaller one. The County thought they were going to get a \$125,000 grant, but since they did not, the \$125,000 was put back in the budget for a person to be in charge of certain health matters and working with the sheriff's office. The Sheriff Department petroleum cost was taken out of their budget and put under the Highway's budget.

Reports of Attended Meetings:

1. Peggy Hendricks reported that there were 30 voters for the Berlin School referendum on Oct 15th.

Upcoming Workshops and Meetings:

1. Hendricks has been working on the budget and would like to plan a meeting with the board. It was decided November 13th at 10:00 tentatively.
2. TRIP meeting on November 13th at 6 pm at the County Highway office.

Larry Timm mentioned that on the River Road, there is a home that has a lot of vehicles in the yard. When he went for an assessment, he could not turn around. He had to back out and that it was very dangerous. The Board will check this out. It was also brought to Larry Timms attention that the Ray Ellis house is gone by Waukau.

Pat Kafer was wondering if there was verbage that could be put in the ordinances that if a property is zoned Commercial and it is not being used for that purpose, that it would be zoned according to use. Mr Egan asked Mr. Timm what his thoughts were. Mr. Timm stated that he does not assess properties according to zoning. They are assessed on how they are used.

There was discussion on the property on Eureka Lock road where the old ethanol plant was. ***Motion by Schoonover, 2nd by Kafer to have the clerk send a letter to the residents in Waukau who live behind the Waukau Church to remove the vehicles in the road right away and to Clayton Wellman to clean up the miscellaneous merchandise or have it enclosed with a fence on his property. Motion carried.***

Motion by Kafer, 2nd by Schoonover to adjourn at 8:50. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk