

Rushford Town Board Minutes
Wednesday, November 5, 2014

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: 13 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of the November Board and the Notice of meeting of the local board of canvassers were posted at the Town Hall, the Waukau post office, the Town's web site and the corner of K & E in Eureka. In addition, Notice of public test of election equipment was published in the Oshkosh Northwestern. Notices were mailed to Town Board members and the Zoning Administrator.

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

Treasurers Report was given by Kathryn Lewis. The balance at the end of October was \$196,791.75 in the general account. The balance at the end of October in the tax account was \$100.00. *Motion by Schoonover, 2nd by Kafer 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 \$48,023.22 from the general account for approval of payment. *Motion by Kafer, 2nd by Schoonover to pay November 2014 bills as submitted. Motion carried.*

Communications & Correspondence:

- Peggy Hendricks stated a letter was sent from the DNR to approve shoreline work for Thomas Berger.
- Peggy Hendricks mentioned she received an email on the problem of cruelty to cats in the Township. This will be discussed at the zoning meeting on November 19, 2014
- Tom Egan received a text message from the Omro/Rushford Fire Department stating that bid opening would be Friday, November 7th at 4 pm at City Hall.
- Tom Egan received a letter Attorney Sondalle and Kurt Schoeni regarding Roger Kasuboski. This will be discussed later in the meeting.
- Kathryn Lewis received a letter regarding short term tax collection bond.

Discussion of Town hall maintenance/needs:

Thomas Egan stated that it looked like someone did some work on the weeds around the Town Hall. Thomas Egan asked about the Town Hall sign. Hendricks stated that Marilyn Henke had carpal tunnel surgery on both of her hands, so she will come with other designs after healing has taken place.

Ken Rew stated that a new top should be put on the playground equipment. Hendricks stated that she has the material, she just needs someone to complete the work.

Discussion on Town Maintenance – Roads:

Tom Egan said that Friends is still patching the roads, trimming & ditching. Liberty Street and the Park are done in Eureka. Kafer stated that some gravel or millings should be put down on the side of River Road. Tom will ask the County. Outside the hall is a large brush and small tree cutter owned by Ripon Truck. They are doing work in neighboring Townships. It cost \$150/hour. *Motion by Kafer, 2nd by Schoonover to trial this on roads decided by the Board for \$150/hour. Motion carried.*

Town & County Zoning – Dan Stokes: Dan reported on October 2nd he attended the Comprehensive Planning County Meeting. Economic, housing, utilities goals and objectives were discussed. On October 29th, there was a Plan Commissioner Network meeting pertaining to updating and amending the Comprehensive plan which Townships have to do every 10 years.

Hendricks said she had talked to Dean Kaderabek at the election and he said that the County does not have any problems with our new rewrite of the ordinances. He will be sending her the information on the postings and meetings that will be needed. Tom Egan corrected her that it did not go through the County yet. It went to the County Zoning and has to come before the County Board. Tom said that the Attorney should be contacted to see if he has gone through the rewrite. Right after that, the Town should start their comprehensive planning. Dean Kaderabek was suggested to help. The County is starting their plan at this time.

Old Business:

Blue Belle Farms Subdivision Stormwater Management: Tom stated that the reason the Clerk sent the property owners of Blue Bell Farms Subdivision a letter is because the County was out there and they had concern. The Town just wanted to make sure that all the owners understand the responsibilities of stormwater management. Brent Jalonon, from Winnebago County Construction Site Erosion Control was present to explain things and answer any questions on the proposed draft for long-term stormwater management maintenance provisions. There were questions on cutting out the beach, trees that are growing on the embankment – whose responsibility is it. It was said that a pond has an average life of 20 years. The responsibility goes to each land owner. The landowners were unaware at the time of purchase that the trees needed to be removed that is in the embankment. The maintenance on the ponds is explained in the covenants. It was mentioned that since it is explained in the covenants, the owners do not feel they need to have the drafted provision. The owners said that they do not have a problem with maintaining the ponds. They all have been working on the over grown ponds and they do not want to be penalized for 10 years of growth. They do not want an eyesore. Brent said this meeting was basically to give the owners information. He is willing to come out and work with the property owners. He will come out to look at the big tree that is in the rock drainage area. Sediment is usually the largest problem and he does not see it as being bad. He also stated that he has never assessed or fined someone. He probably will not set a date by which the trees will have to be pulled out since they will be working together.

Tom Egan asked if the ponds were not taken care of, whose responsibility it would be. Brent stated that it would be the County's.

Tom stated that the letter was not sent to scare off anyone. We welcome them all to the Township. The Town heard lots were selling fast and we just wanted everyone to be on the "same page".

The culverts under the road will be the Town's responsibility. The owners will need to form an association and they will then draft language for the draft.

The roads were never completely done. Stone and binder is down at this time. The roads will be finished once the building is near completion, but the charge will go to the homeowners. It will be decided together at a later date how this will be done between the Town and the Association. There were concerns on a "sink hole" in the NW corner. Friends will go out and take care of that.

Setbacks on the parcels were discussed and it was suggested for the owners to talk to Fred Kasten or Dan Stokes.

Discussion on 3375 State Road 116 – Roger Kasuboski: Tom Egan read a letter that was sent to Mr. Kasuboski from Attorney Sondalle regarding the violations on the property. He stated that he should be contacted in 5 business days. If he does not, action on behalf of the Town will be taken to remove the violations. A registered letter was sent, but it was not signed, so the next action is to go to court. Tom also read a letter he received from Kurt Schoeni pertaining to the violations and the problems. It was questioned if the unlicensed vehicles can be towed and compounded. This will all be handled through the Court proceedings. The Town's humane officer has sent dog fines. The letters were returned and then sent back out to the State Hwy 116 address.

Implements of Husbandry Laws: This discussion was tabled from last month. There was a meeting on October 22nd and it was discussed at the Winnebago County Unit meeting. There will be another meeting scheduled for November 19th. There were concerns with permits. They would like one from each Township. Tom's idea to the County Highway Department, is that a person would go to one place and receive all the permits. This law was passed by the state and will be passed by the County in December. It will be implemented January 15, 2015. The Township has to choose one of the options to govern IoH and AG CMV

operations as listed or go with what the County does. Fred Kasten asked who was going to enforce the weight limits. The portable scale with training is \$50,000. The Highway Commissioner likes Option "E" – "Opt In", which is listed in the informational packet. Pat would like to see what the other Townships will be doing. There are meetings scheduled until December 17th, but it is possible the County will decide before that.

Motion by Kafer, 2nd by Schoonover to table this to a later date, since the Board will be meeting shortly for budget workshop and other items. Motion carried with Pat Kafer – aye, Jerry Schoonover – aye, Thomas Egan – nay.

Animal Report: Chuck Mier took two cats to Traxlers, got rid of a deceased cat that was shot by the Sheriff's office for it bit a child and issued two tickets for barking dogs and no tags. Tom pointed out if the Sheriff's office puts down an animal, there is no cost. If the Town put down an animal, the Town would be held liable for costs.

Building Reports – Tom Egan:

Paul Buskager, 8680 Banner Hill Road, Omro, 420-5889
Replace house side by side – 45 x 26 double wide house – removing trailer by self on
8678 Banner Hill Road, Omro Sanitary permit #98751
\$12,000 October 13, 2014

Jim & Diane Laabs, 8531 Liberty School Road, Omro, 685-0442
16 x 24 deck, doors, LP fireplace, porch metal roof
Builder: Timberland Builders & Kuehni Roofing
\$16,000 October 15, 2014

TCFC LLC – Shoot to Thrill LLC, 3077 Saffron Lane, Neenah, WI 920-841-8070
New single family home at 9239 Eureka Lock Road, Omro built by Berhoff Homes
Windows, doors, soffit, garage doors, retaining wall
Sanitary permit # 101925
\$200,000 October 15, 2014

Zeinert Family Properties LLC, 223 E Franklin Ave, Neenah 720-0942
For property at 8467 Edgewater Ridge, Omro, WI 54963
Replace siding, replace front gutter, and increase to 100 amp service by Lowes
\$13,950 November 2, 2014

Pat Kafer asked if Tom follows up if building inspectors check on the new homes going up. Tom replied with the first building permit, he does get copies. In the instance of Shoot to Thrill, this permit was a renewal, for the past permit expired.

Peggy Hendricks reported that Attorney Blazel has filed with the Court the complaint against James Erdmann. She also asked if any information was available for the cost of the culvert on Liberty Street. Patrick Kafer will check into this.

County Report – Tom Egan: Tom reported that they have been working on the budget. The overall spending has increased by \$3.6 million, however the tax rate decreased by one penny to \$5.75 per thousand of equalized property value. The Highway Department has the project for Hwy 116 from Omro to Waukau on May 2015.

Reports of Attended Meetings:

1. 67th Annual WI Towns Association Convention at Stevens Point – Kathryn reported that Hendricks went to the GAB meeting for recertification and Kathy attended miscellaneous meetings.
2. November 4th Partisan Office & Referendum Vote – Hendricks reported we had 717 voters with a 74% turnout.

Tom asked if there were many in-office voters. Hendricks stated we had an excellent turnout of absentee and in office voting for this election.

Upcoming Meetings:

1. Winnebago County IoH Discussion Group at County Highway Office – Mezzanine Room November 5 and 19th at 7 pm
2. Rushford/Omro Fire Department meeting on November 12, 2014 at 7 pm
3. November Zoning Committee Meeting – Hendricks stated that there will be a public hearing and if the meeting could be rescheduled to November 19th instead of November 27 because of Thanksgiving. Everyone agreed that this would be a good date. Half the Board will attend the 2nd meeting on the 19th for the IoH Discussion Group meeting at the County Highway office. Kafer did express concern on Albright Bros CUP regarding the access on Banner Hill.
4. Public Budget hearing and Special Town Meeting of Electors for December 3rd at 6:00
5. Opening of bids from fire truck on November 12 – The board will be meeting at a later date to work on the WSIR, the budget and to discuss financing for the new fire truck.
6. Tom received a Notice of Public Hearing from the Town of Omro for Marvin Kasuboski if anyone would like to attend since this is directly across from the Town of Rushford. He is requesting a zoning map amendment from B-2, Community Business to R-1, Rural Residential on November 5th.

Motion by Schoonover, 2nd by Kafer to adjourn at 8:45. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk