

Rushford Town Board Minutes
Wednesday, April 2, 2014

The Town of Rushford April 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: 7 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of April Board meeting & and the March Planning and Zoning Committee meeting was posted at the Town Hall, the Waukau post office, the Towns web site and the corner of K & E in Eureka. In addition, two public hearings and the testing 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 Kafer, 2nd by Schoonover to approve the minutes as presented for the March 5th Town board meeting. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance at the end of March was \$53,207.29 in the general account. The balance at the end of March in the tax account was \$161,111.37. *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 April in the amount of \$15,298.42 from the general account for approval of payment. *Motion by Kafer, 2nd by Schoonover to pay April, 2014 bills as submitted. Motion carried.*

Communications & Correspondence:

- A letter from Jerry Bougie, Winnebago Planning Director providing an update on the County Property Lister Office. Liz Nichols has returned to work full time after a 2 ½ month absence. A Tax Listing Specialist position has been posted on the County website.
- Peggy Hendricks reported that the Town of Rushford has been awarded \$2884.87 from the DNR to help offset the Towns recycling program costs during 2014.
- An email was sent to the Town for an event at the Winery on Liberty School Road on April 5th.

Discussion of Town hall maintenance/needs:

- It was asked when Jim Wesner will be fixing the tiles in the hall. The tiles had to be special ordered and lately the hall has been rented every weekend. As soon as a time can be planned out, the work will be done.
- Pat Kafer stated someone should take care of the flowers along the hall. It was suggested to call Sue Bohn with the Master Gardeners to see if they would be interested. There have been inquiries from people wanting to put in bids to take care of the landscaping. Tom Egan reminded the board that we do have a weed eater in the back room that the Town purchased.
- Pat Kafer suggested that the walls should be repainted. Peggy Hendricks thinks that wainscoting should be put on the wall to protect it. Tom Egan suggested this be bought up at the annual meeting.
- Vacuuming out the ceiling lights was discussed.

Discussion on Town Maintenance: The Board will schedule a Tour of the Township roads when it is convenient for John Groth from Winnebago County. Tom Egan went though the LRIP – Local Roads Improvement Program Agreement form. It is possible that the work might not be done this year due to the winter damage work that would have to be done on most of the Town roads.

Zoning/Planning Committee Report – Dan Stokes: Dan Stokes read the minutes from the Zoning/Planning Committee meeting on March 26, 2014.

• **Board Action on Parcel #022 0920 – Harvey & Leann Henning:**

Pat Kafer stated that the neighbors did not have a problem with the work being done at the Hennings but the number of vehicles was of concern. He has large enough garages to accommodate the vehicles. Mr. Henning did state that his garages were full of miscellaneous merchandise. Jerry Schoonover said that 6 vehicles can be parked behind the garage. The only cars that would be on Commercial would be his personal vehicles. Pat

Kafer said that the road right away comes right up to his porch. Jerry said that Mr. Henning stated that he should be done with this business by July or August 2014. Tom Egan said from talking to the neighbors, the concern was not with the cars but with the dog. When the dog is outside, it is chained to a van. No one mentioned the dog during the Public Hearing. **Motion made by Patrick Kafer, 2nd by Jerry Schoonover to allow 6 cars for one year from this date. Motion 2nd.** Tom Egan asked if this is excluding his own cars. Pat Kafer no, that there should not be over 6 cars total. Pat Kafer resented his motion. **Motion by Kafer, 2nd by Schoonover to allow up to 6 cars for detailing work to be parked behind the garage on Mechanic Street on parcel number 022 0920 for a time line of one year to this date (March 2, 2014 - March 2, 2015)** Motion carried.

- **Board action on Parcel 022 1543 – Robert and Patty Fink:**

Tom Egan stated that this could not be given to Robert and Patty Fink, for they do not own the property. Mr Egan stated it should go to Cathy Silverthorn with the condition that it will go to Agent Robert Fink Jr when sold to him. This conditional use permit will only be transferred to Robert Fink Jr. if purchased. Pat Kafer asked if there was much discussion on this at the meeting which Dan Stokes stated there was not. Pat stated that others such as the one across the street on Union was denied a Conditional use permit to build a shed without a home at one time. Another one was turned down on Hwy K and Union St. He asked what the difference is with these parcels and parcel 022 1543. Fred Kasten stated that a site plan was turned in with a home on it that met all the setbacks. The Finks do not plan on building a home, but a small one would fit for future use. There does have to be a 75' vision corner set back on the corner of Union & Cty Hwy K. Pat Kafer would like to see the shed put more towards the North. Tom asked if others come for Conditional use permits on these non conforming lots in the villages, if they will be granted. It should not be case by case. Russ Lee, zoning/planning committee member stated that it would improve the lot, it would have 9' eaves with vinyl siding. Pat Kafer thinks the garage should be positioned so the lot could accommodate a 1000 sq ft home instead of 720 sq ft. **Motion by Schoonover to approve the Conditional use permit to Cathy Silverthorn, transferable to Robert Fink Jr on parcel # 022 1543 to build an accessory building with all setbacks including a 75' vision corner set back. Motion 2nd by Thomas Egan. Discussion: Pat Kafer stated that the building should not be a steel pole shed, but vinyl siding and the building should be positioned more to the north to allow more room for a future residence. Motion carried 3-0.**

Old Business: Tom Egan read the letter from Attorney Blazel dated March 21, 2014 concerning the James Erdmann property located at 8858 Edgewater Ridge Road.. The letter gave Mr. Erdmann 4 options to bring the property into compliance with the Town ordinances. If nothing is done, the board will meet to proceed with enforcement action.

Tom Egan spoke with the attorney today and as of date; there has not been a response from Mr Erdmann or Mr. Kasuboski on the letters which have been sent. The attorney stated there was 2 ways to take action. We can take them to court and/or give them a fine. For example, \$200 per day for 30 days and then court. It is noted that at one time, Mr. Kasuboski did call Attorney Blazel for consultation. If this goes to court, we might have to retain a different attorney.

The board will meet with the attorney at a future date to proceed with action if there is no response.

New Business: **Motion by Schoonover, 2nd by Kafer to approve Picnic License for the Flying Mane Horse Club for the year of 2014. Motion carried.**

Thank you to Pat Kafer for removing the old refrigerator in the hall and replacing it with a larger one.

Peggy Hendricks read a letter from County Clerk Sue Ertmer requesting Towns to purchase new OS memory cards which will potentially allow Towns to keep using the OS voting machine for a number of years instead of purchasing new ones. **Motion by Kafer, 2nd from Schoonover to approve \$350 for 1 memory card for the Towns Optical Scan voting machine. Motion carried.**

Peggy Hendricks said that she has received an application for Class B Beer & Liquor license for Farmers Daughter Country Kitchen located on State Hwy 91, Waukau. The board cannot vote on this till 15 days after application was received in the clerk's office. She would like to set up a special meeting of the board. It was agreed that the board will vote on this the same day that they meet with the Town Attorney. Tom Egan thanked Pat and Connie Schoonover for the years of business they had at O'Malleys in the Town of Rushford and wished the Davis's good luck with their new business.

Assessors Report – Larry Timm: Mr. Timm has finished the assessments in the Town. He has concentrated on Ag properties this year to be sure that the properties are being used as agricultural property.

The Board and Larry Timm have agreed on the following dates:

- Open Book on May 2, 2014 from 3 pm – 7 pm
- Board of Review on May 23, 2014 from 5 pm – 7 pm

County Report: Tom Egan met with Ernest Winters from the County to inquire about the roads that were affected from the Bridge project. The blacktop was removed by Tom Olkiewicz but not by the Landings. They have not agreed who is responsible for this, along with the survey, etc. It was thought that the County was going to take care of this.

Tom read a letter concerning Implements of Husbandry Legislation and asked for call to action to support SB 509 & AB 648 and to oppose AB 842 by contacting your state legislators.

Reports of Attended Meetings: Thomas Egan, Peggy Hendricks, Patrick Kafer and Jerry Schoonover attended the WTA District Meeting at Royal Ridges on March 14th. This included the Board of Review training which is required every 2 years.

Peggy Hendricks stated that we had 101 voters for the Spring Election held April 1st, 2014.

Upcoming Workshops and Meetings:

1. Winnebago County Unit Town Association on Thursday, April 3rd at the Town of Winneconne
2. Annual Meeting on April 16, 2014 at 7:00

Tom Egan inquired what the Rushford Cemetery paid for their hall rental. Peggy Hendricks said a check was sent in without an application for \$50. Tom said organizations should pay \$20, so a \$30 refund will be sent.

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

Respectfully submitted by Peggy Hendricks, Clerk