

Rushford Town Board Minutes
Thursday, August 13, 2015

The Town of Rushford August Board meeting was called to order by Chairman Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Gerald Schoonover, Patrick Kafer, Kathryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 12 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of this meeting was posted on the Town hall door, the corner of K & E in Eureka, the Waukau Post office and the Towns website. In addition, Notice of Board meeting date for August was published in the Oshkosh Northwestern. Notices were also sent to Board members and the Zoning Administrator.

Attorney Blazel was present, so he was moved up on the agenda.

Report from Attorney Blazel & Legal reports: Action on the Erdmann property was filed several months ago. It was alleged he was in violation of the Towns building code. A warrant to inspect the property was issued. Tom Egan, Attorney Blazel and Inspector Marty Johnson did the inspection. Mr. Johnson did not feel there were any major code violations. There were a couple of minor violations. The Town cannot make him finish the house. The Court would like to know if the Town wants to schedule a court hearing. Attorney Blazel would like to know if the Town wants to pursue, for the minor code violations are easily fixed. Schoonover asked if he has plans to finish the house. Erdmann says he would like to, but he is having financial difficulties. ***Motion by Kafer, 2nd by Schoonover not to pursue action according to what the Attorney & the Inspector has seen. Motion carried.*** Attorney Blazel will dismiss the action. Trevor Krueger asked the attorney what he suggested to do in Blue Belle for road cost. Should it be per lot or by frontage? Attorney Blazel said he will check, but it should be what is most fair. It would probably go by lots. Blazel will look at it and see what is most fair. Krueger would like to get it done as soon as possible, for a 2nd coat should go on to strengthen it. The Bank still owns about ½ the lots out there. The owner of the land gets assessed – no matter if it is an owner or the bank. It was asked if the lot owners or the Town Board approves the work. Street work is approved by the board. Tom Egan said they might want a 3 year payment assessment. He was wondering if interest can be put on the assessment. The attorney thought the debt interest could be added to the assessment, but he will double check. Pat Schoonover asked if asphalt should be put down now, with more traffic and building happening soon. Mr. Krueger stated there is 1 ½ “ on it now and it will get a lot worse therefore costing much more. The binder that is on will be ripped up. The County and Northeast Asphalt said another 2” with 4” total should be put down. Tom Egan said it should be put in the permits that if a road is torn up by a property owner, that they should be liable. The Attorney said that State Statutes state that the Town can sue double or triple to a landowner for road repair if they tear up the road.

Fred Kasten said that he had talked to Attorney Sondalle regarding the Roger Kasuboski property. He stated that nothing can be done until the divorce is final around August 24th. Mr. Kasuboski said he would get a building permit at that time. There is a court date set up for December 4th. It is thought that he might be living in a camper that is on the property for the past 2 weeks. More pictures have been submitted. Tom Egan received a letter with pictures from Mr. Schoeni stating that trucks are still running all night, that the sheriff's department has been called numerous times, etc. Tom Egan has checked it out numerous times. The Town has an ordinance that people cannot live in a trailer. The trailer is plugged in and it is not known for sure if there is running water. The property is zoned agricultural and he is running a non ag business out of the property. If he builds a home, the shed has to be behind the house. He says it is temporary, for the building is on skids. No site plan has been submitted as of yet. Tom Egan recommends that the zoning committee take a look at the property. Attorney Blazel said he can talk to Attorney Sondalle about residing in the trailer.

Winnebago County Sheriffs report: Officer Schoonover was present to answer any questions. Mr. Egan asked if he knew how many times the department has been called to the Kasuboski property. He stated that he does not know for sure, but he knows of several different times. The incident with the K-9 dog that died in a police vehicle in Brown County was discussed. It was stated that there are many pre-cautions set in place, such as fans, temp readings, alarms, etc

Clerks Report & Minutes: ***Motion by Kafer, 2nd by Schoonover to approve the minutes as presented for the July 1, 2015 Town board meeting. Motion carried.***

Treasurers Report was given by Kathryn Lewis. The balance at the end of July, 2015 was \$237,696.92. The balance in the tax account was \$117.71 **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 August in the amount of \$58,345.70 from the general account for approval of payment. She also requested payment of LP gas bill which was not received yet by L&L Propane. **Motion by Kafer, 2nd by Schoonover to pay August 2015 bills from the general account as submitted and to pay the propane bill when it comes in. Motion carried.**

Public Input: Pat Schoonover inquired when the Town hall was paid in full. Hendricks stated it was in 2011.

Communications & Correspondence:

1. Hendricks received a notice of a Plan Commissioner Network meeting that will be held in the Town of Vinland on August 26th.
2. An email was read from Asphalt Seal and repair inquiring if we were interested in estimates.
3. An application for a permit to place an integrated bank treatment on the bank of the Fox River for Robert Roessler on Ferry Lane was received from the Department of Natural Resources.
4. An application for coverage under the waterway statewide general permit to maintenance dredge in a previously dredged area was received by the Department of Natural Resources for David Barbola.

Discussion of Town hall maintenance/needs:

Peggy Hendricks went through the bids to repair or repaint the wanes coating on the hall walls. There was a bid from Creative Painting for \$1,175. This would not include putting the baseboard back on. From Hopps Painting, a bid for \$620.00 which would be for 2 coats of paint. Jim Wesner had a bid for 36" wanes coating that is 3/4" oak which is stained, varnished and installed. The masonite and sheetrock would be removed and a backing would be put up to nail the wanes coating on. He could not do this until the end of the year. This bid was for \$2000. **Motion by Kafer, 2nd by Schoonover to accept the bid from Jim Wesner to replace the wanes coating with oak and to start as soon as possible.** Discussion: It was mentioned that it is an expensive project for a Town Hall that is so new. Kafer said that it is much more than cosmetic, for it is buckling. **Motion carried – 2 ayes – 1 nay.**

Discussion on Town Maintenance: Friends has been filling pot holes and culverts are repaired or put in. Kafer stated that on Morrow and County Road K a culvert is needed. Bell School road is done. It was asked if bids were gotten for Blue Belle. Tom said the County won't do any work on it until next year and he is not sure about North East. It was suggested to get an estimate from Asphalt Seal & Repair.

Zoning Report – Tom Jackson: A meeting was held on July 29, 2015. They discussed the proposed CSM for McClelland/Langeberg, chickens in the village, updates on the Ordinance update, & appointments for the 10 yr update on the Towns Comprehensive team.

Hendricks read Resolution #: RES2015-001 stating that the Town of Rushford Code of Ordinances has been prepared and authorized by the Town Board and it is in accordance with the requirements of s.66.0103 Wis Stats. **Motion by Kafer, 2nd by Schoonover to adopt resolution #: RES2015-001.** A roll call vote was taken with all (3) in favor. **Motion carried.**

Old Business:

CSM for Robert McClelland, parcel 022 149102 and part of 022 149101: Kafer has a concern on what the intended use of the property will be. McClelland said it was to park his trailer. Fred Kasten thought that he might have to apply for a variance; for it is a non-conforming lot. Or a Conditional use application should be applied for the property, for it is being used for personal and not commercial reasons. McClelland said he purchased the garage as commercial and feels adding the back parcel should not be a problem since that is also zoned commercial. It was suggested that the purchaser apply for a variance for a non conforming lot to create 75.26 x 65.2. If this property is used as a commercial business, it will need a sanitary permit. There is not a well on the property. Tom Egan thought it should go back to the Planning Committee. **Motion by Schoonover to make the property conforming to our zoning ordinances. 2nd by Kafer. Motion carried with 2 aye – 1 nay.**

Blue Belle Farm was already discussed earlier. There will be a estimate requested from Asphalt Seal & Repair. The Board would like to wait to hear from the attorney on the best way for payment and information on the interest payments.

New Business:

- Hendricks had the amortization for the fire truck. Payments will be starting in April 2016 for 5 years. The Board would like a signed document stating the conditions for tax levy reasons.
- A Continuation Certificate for Bond reclamation for Zillges Materials was received.
- Hendricks went though information pertaining to the Town purchasing new election equipment. All municipalities must purchase new equipment for next year. The cost per unit without duel display is \$8454. If a duel display was purchased, it would be \$9572. The equipment is though Dominion Voting System. Annual fees will be \$534. Kafer asked who decides this must be done. Tom Egan stated it is the County Clerk. Hendricks said from the meetings she has attended, it is mainly because of programming elections. There is nothing we can do with our old machines. The County will finance if the Town does not have the money for the unit. ***Motion by Kafer, 2nd by Schoonover to purchase the Dominion Voting System and to put the monies in the budget next year. Motion carried.***
- Discussion of Parcel 022 071701 – Edward Patrick – There have been complaints of a lot of vehicles on the property. Tom Jackson stopped and counted 36 vehicles. 3 are licensed and some are not. There is a variety of nice vehicles. One had rolled out to the road and the neighbors are concerned. It is thought Mr. Patrick might be a collector. ***Motion by Kafer, 2nd by Schoonover to have the clerk send a letter informing Mr. Patrick he is in violation on the Towns Ordinances and that there have been concerns. He should apply for a Conditional Use permit. Motion carried.***

Animal Report: An animal nuisance citation was sent to Tim Achterberg for an ongoing problem and to Lee Traxler for hens creating a road hazard.

Building Report – Thomas Egan:

Neil & Ellen Newman, 4552 Poygan, Omro, WI 685-6210

Parcel # 022 0031

Replace bathtub with wheelchair friendly shower

Done by Self

\$10,000 07/06/2015

Nate Otteslat, 8249 Edgewater Ridge, 920-420-8215

Deck built by Heritage Quality Construction, treated wood, 16 x 16 with 6' x 20' walkway & staircase

\$7500 07/06/2015

Ronald Gehrke, 9016 Bell School Road, Omro 290-0970

Remodel at 9136 Bell School Road by Gehrke Construction

\$20,000 07/20/2015

Mike Kallas, 9680 Stone School Road, Berlin, WI 54923, 572-5019

New residence built by Steve Case, 2772 Elo Rd, Omro, WI w/vinyl siding, wood structure

Parcel #022 035501

\$200,000 07/30/2015

Attended Meetings:

Hendricks reported on the Election equipment meeting – July 30

Upcoming Meetings:

Demonstration of Ascent Land Records system at the Courthouse on August 20, 2:00

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

Respectfully submitted by Peggy Hendricks, Clerk