

The Town of Rushford September Board meeting was called to order by Chairman Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Patrick Kafer, Kathryn Lewis & Peggy Hendricks present. Jerry Schoonover was excused. 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 and the zoning/planning committee 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, Consideration of adoption of a new code of ordinances was published in the Oshkosh Northwestern. Notices were sent to Board members and the Zoning Administrator.

Clerks Report & Minutes: *Motion by Kafer, 2nd by Egan to approve the minutes as presented for the August 13, 2015 Town board meeting. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance at the end of August, 2015 was \$265,997.07. The balance in the tax account was \$117.71 *Motion by Kafer, 2nd by Egan to accept the treasurer's report. Motion carried.* Kathy went through information from First National bank. They are changing their business checking accounts the first of October. They are suggesting that our General Account should be switched to the "Now Account". The tax account would be switched to "Council Checking". This account does not pay interest. It would be a good account except during tax time. Kathy will talk to the bank for they are willing to work with her to get the best account possible. It is thought that the tax account could be put in a "Now account" during the tax period. *Motion by Kafer, 2nd by Egan to go with the Now account for the Towns monies. Motion carried.*

Payment of invoices: Peggy Hendricks approved and submitted to the board the bills for September in the amount of \$79,550.20 from the general account for approval of payment. *Motion by Kafer, 2nd by Egan to pay September 2015 bills from the general account as submitted. Motion carried.* Kathryn Lewis stated that Rick Gehrke mowed the towns land on the side and was wondering about paying him. *Motion by Egan, 2nd by Kafer to ask Mr. Gehrke what he would like to be paid for the past 2 years, but not to exceed \$100. Motion carried.*

Peggy Hendricks went through the year to date of the Budget for the Town of Rushford. It was thought at Budget time last year that the Town would have a fire truck loan. Since this payment does not start till 2016, she proposed a budget resolution to move funds to the following categories: Elections & Machines, Software, Hall Maintenance and Legal. The resolution changes the category from Fire truck loan to Reserve Contingency Fund. *Motion by Egan, 2nd by Kafer to change the category "Fire Truck Loan" to Contingency and to move \$600 to Elections & Machines, \$500 to Software leaving a balance of \$22,552 in the Contingency Fund. Motion carried.* Pat Schoonover inquired why the report that shows expenditures – year to date does not include salaries. Hendricks said this report is for the categories that change monthly. It is to show the board where we are in the budget. Salaries are voted on before election year and stay constant. He inquired where the information on payroll was. Hendricks displayed the website under "Financials" that has all this information for the public.

Public Input: LeeAnn Meinen had questions on a road that she feels should be vacated. It seems the surveys are wrong. Mr. & Mrs. Harvey Henning cannot sell their lot because of the lot lines and the road should be closed. The roads of concern are Mechanic and the unfinished road – East Street. Tom Egan stated that when roads are closed, everyone who resides on the road has to be in agreement. An assessor's plat would have taken care of this problem, but Waukau has voted down an assessor's plat numerous times. Egan said that a person can go to the Towns attorney to have a road vacated. The cost would be the attorney's fees and time and recording fees. Mr. Henning said he would pay for this process. Jim Smith from Martenson & Eisele said the correct way to do this is to have the road vacated and then to have a CSM prepared. Dean Kaderabek bought up the GIS mapping of the area. Fred Kasten stated that you have to start the process with a petition from all the property owners stating they want to vacate the street. They requested to be put on the agenda for next month.

Pat Schoonover asked what hall rental was. Hendricks stated that it was \$50 for residents, \$100 for non residents and \$100 security deposit. He asked who decided if they got their security deposit back and Hendricks stated it was herself. He asked if the wanes coating was marked up, why was security deposits

given back. Hendricks felt it was normal wear and tear especially since the wanes coating was only primed. Schoonover feels at the board should all decide if a security deposit is given back. Tom Egan said he agrees that two people could be in charge of this.

Communications & Correspondence:

1. Hendricks read an email from Sue Ertmer with the update on the new voting equipment.
2. Hendricks received and audit report that was sent to all Municipal Clerks in the area concerning Martin Johnson. This is a review of general administrative practices and record keeping for the Uniform Dwelling Code program and other UDC construction related issues.
3. Tom Egan received and update to Winnebago County's hazard Mitigation Plan,

Discussion of Town hall maintenance/needs:

Tom Egan thanked Patsy Pomplun for digging weeds out along the side of the Town hall before the meeting.

Discussion on Town Maintenance: Roads: Liberty Street is not completely done yet. The LRIP reimbursement is for the 2 projects – Liberty Street and Bell School road. Both have to be completed. Tom Egan will contact Ernie Winters for an update. Tom Egan went though the costs of July road work that was done. Tom Egan contacted Northeast Asphalt for work on the parking lot and Blue Belle farm roads. Tom explained that for Blue Belle subdivision, the Town will have to borrow and pay for this, then the land owners will have 3 years to pay back the Town.

Zoning Report – A meeting was held on August 26, 2015. Fred Kasten and Pat Kafer reported that they reviewed the CSM for McClelland/Langeberg and the rest of the time was dedicated on the 10 yr Comprehensive Update. There will be another Comprehensive Update workshop on September 30th. At this time, Tom Egan has not had anyone volunteer to be a zoning committee alternate. This will be on the agenda for next month.

Old Business:

CSM for Robert McClelland, parcel 022 149102 and part of 022 149101: *Motion by Kafer, 2nd by Egan to approve the CSM for parcel 022 149102 & part of 022 149101. Motion carried.*

Tom Egan read Ordinance #: OES2015-001. The Town Board adopted the general code of ordinances in and for the Town of Rushford. This ordinance will take effect upon passage by Winnebago County Board. ***Motion by Kafer, 2nd by Egan to adopt the general code of ordinances for the Town of Rushford. Motion carried.*** Pat Schoonover asked if we had a nuisance ordinance before, which Dean Kaderabek stated we did not. Schoonover asked if certain people were grandfathered in. Kaderabek explained that people do not get grandfathered in a public nuisance, but would if setbacks, etc changed. Example – you have a structure that does not conform to our ordinance, you would be grandfathered in. If that building would burn, then you would have to conform with the Towns ordinances.

Update on Legal Matters: Tom Egan received sheriff's reports on the calls to Roger Kasuboski property. The Sheriff's office said that citation will be cited from here on when they are called out there. Copies of the reports were sent to the Attorney. On November 9th, there is a phone pre-trial and a court trial date for December 4th regarding this matter,

Tom Egan said that there is a trailer plugged in on the Kasuboski property and the Town has an ordinance that trailers must be moved and cannot be used to live in. A hose is running from his well to the trailer. He has observed a trailer plugged in across from the church in Waukau. Fred Kasten has observed a trailer on Wayside drive. Three (3) weeks ago a mailbox was put up. A letter of notification should be sent that a sanitary permit should be applied for. The DNR or County should be notified for this property is under County Zoning. Fred Kasten had talked to Attorney Sondalle last week concerning the Kasuboski property. Sondalle recommended that as a Town – we should just pursue the court action we have at this time instead of issuing other violations. Attorney Sondalle is only taking care of the nuisance and commercial problems.

Hendricks read a letter that was sent on August 19th to Edward Patrick pertaining to the vehicles on his property. Tom Egan suggested the Zoning/Planning Committee discuss it on September 30th.

New Business:

- **County Conditional Use permit for Michael & Lisa Butler**
 - Michael Butler was present to explain about the pond he is putting in on parcel 022 065710 on Eureka Lock Road. The CUP is through the County, but the County would like to know the Towns decision on the permit. This is a pond in a shoreland district and will use the spoils and fill for the creation of a single family home. This permit has been approved by the DNR.
Motion by Kafer, 2nd by Egan to approve the Conditional use permit for Michael & Lisa Butler, parcel # 022 065710. Motion carried.
- ***Motion by Kafer, 2nd by Egan to approve the CSM for Don Parshall, parcel # 022 006301 & 022 0063 Motion carried.***
- ***Motion by Egan, 2nd by Kafer to approve the resolution for the proposed text amendment changes to Winnebago County Zoning Code Chapter 23. Motion carried.***
- Buster Domke has cut down and cleaned up a tree located in the Towns right away on Quarry Drive.
Motion by Kafer, 2nd by Egan to pay Mr. Buster Domke \$200 for removal and clean up of tree/brush. Motion carried.
- The 10 yr update of the Comprehensive plan for the Town is required to be done. The Town would like to hire Dean Kaderabek to oversee the update. Dean estimates that it will take around 50 hours to update the tables and text. ***Motion by Egan, 2nd by Kafer to pay Dean Kaderabek \$1500 to oversee the 10 year update of the Comprehensive plan for the Town of Rushford with the help of the committee and towns people. Motion carried.***
- ***Motion by Kafer, 2nd by Egan to accept the agreement for Larry Timm to serve as the Town assessor for 2016 in the amount of \$10,300 plus supplies. Motion carried.***
Larry Timm passed out the property sales list in the Town for sales occurring between 01/01/2015 to 09/02/2015. The Towns equalized value figures had about 1% increase, largely due to new construction.

Building Report – Thomas Egan: Tom Egan explained that building permits are required for anything \$1000 and above. He sees a few people with buildings going up that are just under that cost because of free materials, etc. Building permits are issued so the tax assessor has knowledge of building in the Town. He inquired how other communities issue permits. Some issue on value or/and size. Some communities do not issue on replacement roofing, windows, etc. It was decided that Tom should continue issuing building permits as he is.

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

Jim Dodd, 8235 Cty Road K, Omro, 716-6702
New Residence built by Bill Boening, Omro
Stick built – 32 x 40, parcel # 022 0757
\$75,000 08/20/2015

Edward Rosenthal, 8812 Ann St, Omro, WI 573-9045
Garage built by Custom Quality Roofing Coloma, WI
\$10,000 08/20/2015

Ronald & Darlene Besaw 8940 Bell School Road, 685-0364
30 x 40 pole shed built by MPB Builders, Ripon
Parcel #: 022 041301
\$35,000 08/21/2015

County Report: The County has their large meeting the 3rd Tuesday of each month. They had a small meeting last night. On Planning & Zoning, the text amendment was discussed. They had 3 – K-9 dogs in. The airport is still under discussion. Budget time is coming up.

Attended Meetings:

Peggy Hendricks reported on a demonstration of ascent land records system that the treasurer will be using after this next tax season on August 20th at the court house.

Upcoming Meetings:

- WTA Budget & Finance workshop on September 22 at Ripon – Royal Ridges – ***Motion by Kafer, 2nd by Egan to pay \$65 registration cost for whoever wants to attend. Motion carried.***
- 68th Annual WTA Convention October 25 – 27 at Kalahari Resort & Convention Center – ***Motion by Kafer, 2nd by Egan to pay convention registration and cost for the 68th annual WTA Convention October 25th at Kalahari Resort & Convention Center. Motion carried.***
- Phone pre-trial for Town of Rushford vs Roger Kasuboski, November 9th at 8:15
- Court Trial date for Town of Rushford vs Roger Kasuboski on December 4th at 8:30

Motion by Kafer, 2nd by Egan to adjourn at 9:15. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk