

Rushford Town Board Minutes  
Wednesday, February 2, 2022

The Town of Rushford February Board meeting was called to order by Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Jerry Schoonover, Patrick Kafer, Kathryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 8 additional persons per attendance record on file, though others were present who did not sign in.

**Statement of Public Notice:** Notice of this meeting, the zoning meeting, & zoning public hearing was posted on the Town hall door, the corner of K&E in Eureka, the Waukau post office and the Towns website.

**Clerks Report:** *Motion by Kafer, 2<sup>nd</sup> by Schoonover to approve the minutes from January 5<sup>th</sup>. Motion carried.*

**Treasurers Report** was given by Kathryn Lewis. The balance for the general account at the end of January was \$225,483.57. The balance in the tax account was \$1,053,068.41. ***Motion by Schoonover, 2<sup>nd</sup> by Kafer to approve the treasurer's report. Motion carried.***

**Payment of Monthly Invoices:** Hendricks approved and submitted to the board the bills for February in the amount of \$59,752.72 and an addition to payback tax overpayments of \$1,101.78 for a total of \$60,854.50. ***Motion by Kafer, 2<sup>nd</sup> by Schoonover to approve the payment of February 2022 invoices. Motion carried.***

**Public Input:** Sheriff Matz, who is also a Town of Rushford resident reported that about 6 months ago, they were notified that a sex offender was going to be released. He is a Chapter 980 offender, which means he is a serious child sex offender who has served all his time and put on a civil commitment at Sand Ridge Secure treatment center, over by Mauston. He was in there for about 19 years after serving around 15 years in prison. They tried to rehabilitate, and he requested to be released. After reviewing his file, he was set to be released. Winnebago has 7 offenders that are either at Sand Ridge, 3 are out, 2 are being housed in the Town of Wolf River, 1 is housed in the trailer adjacent to the Hwy Dept and Sheriffs office on Cty Trk Y. When the Sheriffs office was contacted that the sex offender could be released, they said they had a vacant bedroom in the trailer that is adjacent to the Sheriffs office. The State considers this sex offender "vulnerable" and had hesitations of him moving into a building with another sex offender. There was a hearing in December where the County showed they the trailer they provide has fulfilled the state statutory requirements for housing this type of offender. The State did not think that was appropriate. They need to have a staff member and monitoring for 24/7 supervision because of him being vulnerable. He is 70 yrs old. The company that provides the supervision was not comfortable with 2 offenders in the trailer. The Sheriff's office was asked to find different housing and they said no, that they had met all the criteria. The State took it upon itself to find different housing. Yesterday the Sheriff was contacted that a company that provides housing for offenders had purchased the Gathering Place, located on State Hwy 21 and Rushford ave. These companies buy up properties and then rent them out to the state to house offenders. They County will be filing with the Court and that they are opposed to have him go to any other spot besides the trailer, which the County paid to have that trailer bought in. They have not had any issues, it is right next to the Sheriffs office, so it is gone by numerous times during the day and night. He feels it is the best in a bad situation. The County is looking at adding some zero wall apartments in that same area because they have 4 offenders that are waiting to come out. When offenders are released, they are housed in the County where they had resided. This offender is from the City of Oshkosh. The County is in charge of making sure the

housing unit meets the requirements statutorily where the offender is housed. There can not be a school, park, child care facility or youth center within 1500 sq ft of the housing and if it is a sex offender, there cannot be a child within 1500' adjacent to the property. They will do everything they can to get the offender into the trailer. Sheriff Matz will keep us updated. They are scheduling a court appearance for March 31<sup>st</sup>. If they are unsuccessful, the offender could move in 60 days from that date. Kafer suggested that when the building permit is issued, to have the attorney go through it, for this is a commercial zoned property that will be used as residential. Tom Egan stated that the person who sold the property or the real estate office had no idea on who bought the property and what it would be used for. The papers were just signed.

Art Rathjen, Greater Oshkosh, presented information from the USDA pertaining to available funds to rural areas.

Jim Moore commented that Friends did a nice job plowing snow, but he did not see any salt or sand on the roads in Waukau. Chuck Freund mentioned that all roads were sanded.

**Communication & Correspondence:** Hendricks received an email that Spectrum Mid America, LLC d/b/a Charter Communications had submitted an application to the WI Depart of Financial Institutions for a State-issued franchise according to state statutes. They applied for an expansion/reduction of service area and footprint.

**Town Zoning Report:** Tom Jackson reported on the zoning meeting from January 26<sup>th</sup>. The zoning committee recommended that the Town Board approve the zoning change for Noah Pomplun. There was discussion on drainage, culverts, etc. Pompluns stated that they will clean out the ditches and not apply for a building permit until they know the water is flowing correctly. Tom Egan said the culvert is caved in and he did not know who was going to be responsible for that. If it is the one that goes under the road, the Town would be responsible for that. But if it is the one that goes between the properties, someone else would be liable. Kafer asked since that is a commercial building, does it need to be submitted to DHPS. Jackson will check with Mr. Pomplun.

**New Business: Zoning Change for Noah Pomplun**

***Motion by Kafer, 2<sup>nd</sup> by Schoonover to approve the zoning change for Noah Pomplun, 3160 Cty Rd E, Eureka, WI, parcel #022 061502, to change the zoning from SER to Commercial providing all codes are met. Motion carried.***

***Appointment of Doug Bohn and Bruce Mueller as Town of Rushford representative for RLWRI. Motion by Schoonover, 2<sup>nd</sup> by Kafer to approve the appointment of Doug Bohn and Bruce Mueller to be the Towns representatives for Rush Lake Watershed Restoration Inc for the next 2 years. Motion carried.***

***Erosion Control Permit: Motion by Schoonover, 2<sup>nd</sup> by Kafer to renew the Towns erosion control general permit for 2022. Motion carried.***

**CSM for AO 9686 River Road LLC, for parcels 022 0696, 022 0697, 022 069802**

No one was available to explain the CSM. There were concerns about the easement and other questions. ***Motion by Kafer, 2<sup>nd</sup> by Schoonover to table until the Board has more information. Motion carried.***

**Old Business:** none

**Discussion on Town Maintenance:** Kathryn Lewis said that Louie Hintz was out for a fire inspection and that the snow needs to be cleaned away from the back door.

**Building Reports:**

Brian Poppy – Poppy Farms, 2868 Morrow Road, Omro, WI  
45 x 108 Pole shed for animal housing built by self  
\$100,000                      1-24-2022

Steve Wolff, 7505 Cty E, Omro WI  
Remodel upstairs by self  
\$25,000                      1-26-2022

**County Report:** Meetings are being scheduled to figure what to do with the AARP monies. The water department will be asking for 3 million dollars for mostly sludge storage. There are 36 County Board members and after April, there could be 20 new members.

**Assessors Report:** Larry Timm stated he has sent out the Personal Property tax statements. He is in the process of verifying the sales in 2021. Egan asked if the Gathering was to be changed into housing, how would it be classified. Mr. Timm said it would be classified as residential.

**Attended Meetings:**

The Clerk attended a Winnebago Municipal Clerks Election meeting on January 13<sup>th</sup>.

**Upcoming Meetings:** None

***Motion by Kafer, 2<sup>nd</sup> by Schoonover to adjourn the meeting at 8:10. Motion carried.***

Respectfully submitted by Peggy Hendricks, Clerk

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