

Rushford Annual Town Board Minutes  
Thursday, April 19, 2018

The Town of Rushford 2018 Annual meeting was called to order at 7:00 pm on April 19<sup>th</sup>, 2018 by Chairman Tom Egan followed by the Pledge of Allegiance.

Tom Egan stated that Kathryn Lewis was not present because her mom had passed away.

Present for all or part of the meeting was 9 persons per attendance record on file, although several others were present, but did not sign in.

**Guest Speakers:**

- **Deputy Weisse & Deputy Pankratz from Winnebago Co Sheriff Office** were present to answer any questions from residents. Pat Schoonover expressed concern of speeders in Waukau. He asked if there was anything a citizen could do. The Deputies stated that speed is always an issue. It is the highest cause of traffic fatalities. A citizen can start a yard sign campaign. It was asked if it would help to call in a plate number. They recommend letting them know the areas, so they can send enforcement out. It was mentioned that there is also a problem on Archery with speeders. The Deputies recommend that you do not confront the speeders. Setting up a speed spot collects data that helps the deputies do targeted patrols. Tom Egan mentioned that the Town has been told that the County was going to bring the trailer out, but it has never been bought out. The Deputy stated that the speed spot is a great tool. They feel that sometimes when they put the trailer out, it coaxes people to speed more. They will bring this up to the Patrol Lieutenant. It was stated that on 116, Archery and Eureka Lock Road would be good places. The Deputies stated that no one should ever be afraid to call if they have questions. Tom Egan thanked the Deputies for coming and also that it is appreciated when they can attend the monthly meetings.
- **Attorney Blazel:** Attorney Blazel has been the Town attorney for the past few years. Currently, there is not much going on with the Town legally. This past year, the ATV/UTV ordinance went into effect. Many other surrounding communities are adopting an ordinance, so there may be connecting routes to ours in the Township. Tom Egan asked about the road that was abandoned in Waukau. Attorney Blazel stated that the Town had vacated alleys and roads in Waukau that had been platted, but never used. When this is done, each ½ go to the adjoining property owners. Due to a legal description error, a property owner who thought they owned up to the road right away, actually had a 15' dead spot that was not titled in their name. So because of this gap, the area that was vacated will not attach to their property, rather it will attach to the 15' strip. The tax lister said that the strip of land was never taxed, but they were now going to create a parcel and tax it. What will probably happen is that it will eventually go up for a tax deed. Attorney Blazel sent a letter to the two property owners who were affected and explained to them what happened. No one has contacted him pertaining to the letters he sent out.

Pat Schoonover asked the attorney as far as Town Board members or any one associated with the Town, do they have permission to trespass on peoples' property. Attorney Blazel said Assessors have the ability to go on property to do that. Schoonover said the Town has been guilty of going on people's properties and he does not think they should unless they have permission from the property owner. SS 7.05 states this. Attorney Blazel said the Town can get

a special inspection warrant to check for compliance. Schoonover stated that the Town had hired another attorney for a case and the Town has not gotten a bill which he finds highly unusual. He wanted to know if he thinks there is something going on that should be looked into. Attorney Blazel does not know the reason for that. He does find that unusual, but he would guess an administrative oversight. Pat Schoonover said SS 86.021 says that if there is any damage by roadways by a farmer, the farmer is liable to fix the road. There are a couple of roads in the Township that have been damaged by farmers and the Town is fixing the roads, but not charging the farmers. Attorney Blazel said the Town has the option to charge the farmer. It is not required, but they do have that ability. Pat Schoonover asked the Attorney to explain to the Town what a contingency fund is used for. His understanding is that it is used for emergencies only. The Town is using it for any reason they want. He does not think you should be able to designate the money in the fund. Attorney Blazel said the Town has the ability to amend the budget and they can move funds around to meet various contingencies or to cover things that were not anticipated. He is not exactly sure what has happened that he is talking about. He can not respond unless he knows exactly what happened.

Tom Egan stated that we do not have very thick roads and there is a lot of heavy equipment on the roads. He asked if someone is hauling manure from one spot to another, can the Town stop the farmer or the milk trucks from getting their work done? Attorney Blazel said you can not stop them from using the roads. There is the ability to do some weight limit restrictions, but essential equipment is not bound to the weight limits. There are exceptions for farm equipment. Pat Schoonover asked what if a farmer does it purposely to aggravate the neighbors. He might have the option to take a County road instead of a Town road. The Attorney said the Town could evaluate that on a case to case basis.

Pat Kafer asked the Clerk if there has ever been a complaint on any Town member trespassing on property. The Clerk has never received any complaints on that matter.

Jim Moore said last year he was confronted by a couple of his friends who go to Country USA and EAA, and he was wondering if he would need a permit for them to put a trailer on his property for a week. Tom Egan said a permit is not needed as long as it is for a short time and sewage is not being dumped. Tom Jackson said that it is explained in the Towns ordinances under recreational vehicles.

- **Jay Treleven –Fire Chief of Omro-Rushford Fire Department** – Chief Treleven has been with the fire department for 35 years. The Department was established in 1891 - 127 years of service to the area. Some facts of the fire department is: Call Volume runs average over the past 8 years, 120 runs annually and that includes accidents, fires, rescues, gas leaks, etc. First responder calls average 420 runs a year. City of Oshkosh provides ambulance service and they are up for a 5 year renewal this year. They do a great job and their response time is excellent. They bring almost everything out to the Township. They have 40 active fire fighters, 11 active retired, & 7 probational. They have all been trained this past year. They just completed 96 hours of training. This is unpaid. A lot of departments pay their members for training, but they do not. That goes back to the founding in the 1800's. At one time, the department was offered pay but they said no, we are volunteers and that is the way they wanted to stay. That tradition has stayed on. They have 13 active first responders and 421 runs a year. They are very busy. They are really trying to get people to join. They now have 8 probational first responders who will start training in May. It will take a year. There is a 74 hour class plus the national registry test which is very rigorous test. The State of Wisconsin does not have a state registry test. The fail rate is about 60%. The first responders have to recertify every 2 years and CPR is every two

years. For fundraisers, the street dance will be June 8th. They had a 10 week, 20 gun raffle. They are very involved in CRP burns. They have 240 acres scheduled to burn that has to be done by May. They do as many as 458 burns in some years. Doing these burns has really bought the number of grass fires down. At Christmas along with the Omro Police Department, they give out baskets for the needy and they have Youth fire prevention & education in the schools. They help out with tractor safety.

It was asked what CRP stands for. It means Conservation Reserve Program.

Jerry Schoonover asked if the fire department works with other departments in case of a grain storage accident. Jay said there is a training available. They have talked to some of the managers of the bigger elevators. Typically, when there is an accident of that sort, it is very seldom it is a live recovery. A lot of the grain elevators have a procedure in place.

Tom Egan asked when the purchase of the next truck will be. Jay stated that in 2022 a rescue truck will need to be replaced. The trucks are scheduled to be replaced every 7 years.

Jay said they have been in touch with the manufacturer for a rescue boat. The plan is not to use any tax funds for this project if they decide to go with one. The hover craft is 20 years old. They are in the stage of seeing what is available and what type of craft they should purchase.

Jerry Schoonover asked if they ever needed an aerial ladder, would they need to bring Oshkosh in? Oshkosh is on mutual aid. They do have available aerials that could come from Ripon, Berlin and the City of Oshkosh. They bring it out and they operate it.

Tom Egan asked if they have a deal with Berlin for the residents in the Town of Rushford, but on the south side of the Fox River. They do have a standing agreement with Berlin that any EMS or fire calls for those 3-4 addresses in that area would be serviced by Berlin.

Pat Schoonover asked how much money was paid out in the lawsuit that was filed against the fire department. Jay said \$0. The case was dismissed with no wrong doing of any kind. The insurance did not pay anything out.

Chief Treleven wanted to thank the Board for the job they do. The Town of Omro, City of Omro and the Town of Rushford have a very good working relationship.

- **Larry Timm, Town Assessor** was not able to attend but Tom Egan read a letter he emailed. He wanted everyone to know that all assessments notices have been mailed out and open book & Board of Review dates have been set. If you have a question on your tax bill, you can talk to Larry at the Town hall on May 4th from 3 – 6. Board of Review will be on May 17th from 5 – 7. The Town of Rushford was in full compliance with the DOR requirements for level of assessment for 2017. We were out of compliance in 2016 which required to review and increase some wetland assessments in 2017. There were 6 new housing starts and 42 building permits.

Tom Egan reported that he did have some calls on plowing, but this was a very bad April snow. We were very fortunate for a lot of Townships had to call in outside help.

Tom Egan would like to appoint Attorney John Blazel for the Town of Rushford attorney for April 2018 to April 2019. ***Motion by Kafer, 2<sup>nd</sup> by Schoonover to appoint Attorney John Blazel for the Town attorney until April of 2019. Motion carried.***

Clerk Peggy Hendricks went though the annual report booklet along with the PowerPoint presentation. The booklets will be available at the Town hall entry way.

***Motion by Pat Kafer, 2<sup>nd</sup> Dan Stokes to approve the minutes of 2017 annual meeting. Motion carried.***

Pat Schoonover asked what the revenue was to operate the Township. Hendricks explained that figure is in the Budget Summary which is in the package.

Hendricks continued to go through the Annual booklet. The Board commented it was a good job.

### **Open Discussion**

Pat Schoonover said that the Board has failed as a Town Board. There are people with health issues in the Township. They come and complain and then some guy comes in for one meeting and wants a stop sign at an intersection without any public input. They do not put out a newsletter stating when there is going to be a meeting. There is no public information. There are 2 people here of the general public at this annual meeting. He feels there are personal attacks against people and that is why no one comes to the meetings. He feels the salaries should be readjusted. He thinks the board is making twice as much money as the Major of Omro and the council people of Omro. He asked how many hours a month the board puts in besides sitting at the meetings. He proposes that the board gets the same amount as the City of Omro. He stated the Major gets \$2476 and Councilmen get \$2476. He said they are getting paid more than the City of Oshkosh. There is no newsletter and the website has under NEWS information about the Gathering Space. He does not think that has anything to do with Town news. There is other stuff on the website that should not be on there, such as religious stuff and the food pantry. He proposes that the chairman and supervisors' salaries be adjusted. He feels the clerk and the treasurer puts their time in. He feels that the Board just brush certain people off. ***Motion by Pat Schoonover to cut the salaries of the Chairman and supervisors. Motion dies for lack of 2<sup>nd</sup>.***

He thinks a newsletter should go out so there will be people at the annual meeting. He stated no one shows up, for the Board has chased everyone away. No one comes for he feels the Board does not do anything for them. If he owned the property of the lady who has come in with complaints, he would sue the Township until there was no money left. People have bad health and the buildings are contaminated. The board just listens to them and they do not do anything. Tom Egan asked Pat Schoonover what he would do. Tom Egan said it was taken to an attorney. The attorney says it is a civil suit. Pat Schoonover asked where the bill was. Tom Egan does not know. Pat Schoonover said that is very fishy that the Town did not get a bill when the attorney spent so much time. He feels something is going on that the public needs to know. Tom Egan said no. Pat Schoonover asked why someone did not contact him and ask him for the bill. Pat Schoonover said he would go help the people. Not help some guy who lives in another Township because they want to run their ATV's and put a stop sign up. Pat Schoonover asked if the Chairman has ever gone talked to them. Tom Egan said he has been in conversations with many of the neighbors. Schoonover asked if he had talked to Buster Domke or his son? Tom replied they have had many conversations. Schoonover asked where Domkes are. He feels they are not there for the Board just runs them around and Pat Kafer makes fun of him.

Tom Egan said Jesse Domke and the guy next door have come to an agreement on the things they were in disagreement about. Schoonover feels that Bluesky gardens has quite a few violations and the Board did not do anything. He felt the attorney the Town got was out of his league and did not know what good he did. Tom Egan said he thought he did a good job. He came highly recommended. Schoonover thought the attorney was Tom Egan's attorney. Tom Egan said Attorney Culp was recommended by Attorney Blazel and he is not Egan's attorney.

Pat Kafer asked who he personally attacked. Pat Schoonover said he has attacked 3 or 4 different people. Kafer asked at what meetings or when. Schoonover said to ask his sister. Schoonover said he is not going to explain himself to Kafer. Kafer said very well. Schoonover said he was now coming at him.

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

Respectfully Submitted by Peggy Hendricks, Clerk