

**TOWN OF OSCEOLA  
BOARD OF SUPERVISORS MEETING  
Tuesday August 2, 2016**

**MINUTES**

The Board of Supervisors of the Town of Osceola met for a regular monthly meeting Tuesday August 2, 2016 at 7:00 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

**CHAIRMAN SCHMIDT CALLED THE MEETING TO ORDER AT 7:00 P.M.**

**Chairman Schmidt verified that the meeting agenda had been posted Monday July 25<sup>th</sup> at the Town Hall, the Dresser Post Office, First National Community Bank and the Town of Osceola Website. A complimentary meeting notice was also sent to The Sun for publication.**

**Chairman Schmidt led the PLEDGE OF ALLEGIANCE.**

**ROLL CALL:**

**PRESENT:** Doug Schmidt, Mike Wallis and Dan Burch

**ALSO PRESENT:** Lorraine Rugroden – Clerk/Treasurer, Bev Kobs, Bryan Proulx, Carl Frank, Richard Vollmer, Randy Ericson, Ed & Lynn Zwirchitz, Dodd & Nancy Knutson, Bob Wright, Juergen Weissmann, Paul Baker and Suzanne Lindgren

**PRESENTATION OF BILLS:** Check numbers 15283 through 15310 have been approved for payment by Supervisor Burch and Chairman Schmidt, totaling \$84,850.94. Supervisor Wallis will finish auditing the bills following the meeting.

**AGENDA:**

**MOVED AND SECONDED BY BURCH/WALLIS TO APPROVE THE AUGUST 2, 2016 TOWN BOARD MEETING AGENDA. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC COMMENT:**

Brian Poux, 612 218<sup>th</sup> Street, is having trouble with erosion by his mailbox causing the shoulder to wash away. He has spoken with Paul Baker, Public Works Supervisor and Paul has gone out several times to fill in the shoulder. Monarch has estimated it will cost \$2,339 to pave the shared driveway. He said according to Ron Peterson, Monarch Project Supervisor, paving isn't the solution. Ron suggested putting swales in the right-of-way. Paul Baker said the driveway is steep and has lost a lot of sand due to erosion. Paul will be in contact with Brian regarding options for the driveway.

Bob Wright, Plan Commission member said he wanted to reiterate the comments that were made at the Public Hearing regarding the new town zoning map. He said "the Plan Commission put a lot of work into developing the map, we did what we thought was right for the community and encourage the Town Board to approve it."

Carl Frank lives at 2198 88<sup>th</sup> Avenue in the Lotus Lake Development. He said he is here in support of Resolution 16-04 Approving the Zoning District Map for the Town of Osceola.

**MOVED AND SECONDED BY WALLIS/BURCH TO APPROVE THE MINUTES OF THE JULY 5, 2016 REGULAR TOWN BOARD MEETING AND THE JULY 25, 2016 PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.**

**Dresser Osceola Garfield Fire Chief Oath of Office**

In order to comply with audit purposes Mark Knutson, newly elected Dresser Osceola Garfield Fire Chief must take the oath of office and be sworn in by each municipality that is part of the Dresser Osceola Garfield Fire Department. Mark was administered the oath of office by the clerk and signed a written oath.

**Request for Garage Set Back Variance located at 1124 200<sup>th</sup> St. in the SW ¼, Sec 2/ T 33N/ R.18W, Town of Osceola.**

Edward and Lynette Zwirchitz have requested a garage set back variance in order to build a garage that is estimated to be 52 feet from the centerline at Sand Lake. They are asking for an 11 foot variance. The town was informed by Jason Kjeseth, Polk County Zoning Administrator that the set back needs to be at least 63 feet from the centerline without having to request a variance. He would like the town board to weigh in on the request before the county makes a decision. Ed explained his plan to build a garage with a breeze-way. The Town Board viewed plans and asked questions before making the following motion.

**MOVED AND SECONDED BY WALLIS/BURCH TO APPROVE A GARAGE SETBACK VARIANCE REQUEST BY EDWARD & LYNETTE ZWIRCHITZ IN SECTION 2, T33N, R18W IN THE TOWN OF OSCEOLA TO THE COUNTY. MOTION CARRIED UNANIMOUSLY.**

**Haas Quarry Request**

Haas Sons, Inc. owners of the gravel pit at Lotus Lake would like to clean up some materials, mainly recycle and piles of materials hauled into the pit on 90<sup>th</sup> Avenue and crush them. They claim this would be a one-time crushing for approximately 6-8 days once the crusher is set up. Hours would be 6 a.m. to 7 p.m. They would like to restore the pit as soon as the material is cleaned up and sold. They would also offer the town the material at a reduced rate once it is crushed.

Supervisor Wallis said that he would support going to a public hearing for the following reasons.

- According to Chapter 14 Nonmetallic Mining Ordinance, since the Haas pit was in operation prior to March of 2009, the town shall not unreasonably withhold a permit from them.
- They are not engaged in a pattern of flagrant or repeated violations.
- Since crushing was not a part of the permit that was previously issued.

The board agreed to call a Public Hearing for August 25, 2016 at 6:30 p.m. Action is expected to be taken on that request at the September 6, 2016 Town Board Meeting. Haas Sons, Inc. will be asked to pay all expenses incurred by the town.

**MOVED AND SECONDED BY SCHMIDT/WALLIS TO APPROVE CALLING A PUBLIC HEARING ON AUGUST 25, 2016 AT 6:30 P.M. AND ASK HAAS SONS, INC. TO PAY FOR ALL EXPENSES INCURRED. MOTION CARRIED UNANIMOUSLY.**

**Resolution 16-04 Approving New Zoning District Map for the Town of Osceola**

At the July 5, 2016 Town Board meeting, the Town Board, by resolution voted 3-0 to adopt the Polk County Comprehensive Land Use Ordinance and continue with county zoning. The town now needs to provide Polk County Zoning with a newly created zoning district map that follows the Polk County Comprehensive Land Use Ordinance, the town's comprehensive plan, the existing land use and the surrounding land use.

The Plan Commission considered additional zoning district changes and requests to the proposed new zoning map before making recommendation to the Town Board at the July 12, 2016 Plan Commission meeting to approve the proposed new zoning map. A public hearing was held on July 25, 2016 to hear public comment regarding the proposed new zoning map.

August 2, 2016, The Town Board considered additional changes to the proposed new zoning map and approved the following changes:

- State owned land 042-00506-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources
- State owned land 042-00501-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources
- State owned land 042-00506-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources

Parcels are located north of Horse Lake.

**MOVED, SECONDED BY WALLIS/BURCH TO AMEND THE NEW ZONING MAP THAT WAS RECOMMENDED BY THE PLAN COMMISSION AT THE JULY 12, 2016 MEETING TO INCLUDE THE FOLLOWING DISTRICT CHANGES TO NATURAL RESOURCES.**

**Parcel Numbers:**

**042-00506-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources,**

**042-00501-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources,**

**042-00506-0000 from Residential-Agricultural 5 (RA-5) to Natural Resources.**

**MOTION CARRIED UNANIMOUSLY.**

The Town Board reviewed and approved resolution 16-04 approving the new zoning district map for the Town of Osceola with the latest natural resource district amendments and adjusted zoning districts in accordance with the new Polk County Comprehensive Land Use Ordinance, the town's comprehensive plan, the existing land use and the surrounding land use. The Town Board in the best interest of the people of the Town of Osceola approved the new zoning district map and recommends the County Board approve the Town of Osceola zoning map.

**MOVED AND SECONDED BY BURCH/WALLIS TO APPROVE RESOLUTION 16-04 TO ADOPT THE NEW TOWN OF OSCEOLA ZONING MAP IN ACCORDANCE WITH THE POLK COUNTY COMPREHENSIVE LAND USE ORDINANCE, THE TOWN'S COMPREHENSIVE PLAN, THE TOWN'S EXISTING LAND USE AND SURROUNDING LAND USE, AND RECOMMEND THE COUNTY BOARD ADOPT THE NEW TOWN OF OSCEOLA ZONING MAP. ROLL CALL VOTE: MIKE WALLIS: YEA, DAN BURCH: YEA, DOUG SCHMIDT: YEA. MOTION CARRIED UNANIMOUSLY**

Dan Burch recognized and thanked the Plan Commission for all the time and effort they put into creating the new Town of Osceola zoning map and for the careful consideration that was given to create a map that was compatible with the existing comprehensive plan.

**Wisconsin Technology Networking Proposal to Install Utility Pole in 75<sup>th</sup> Avenue Right-of-Way**

Wisconsin Technology Networking has been in contact with the town regarding installation of a utility pole in the 75<sup>th</sup> Avenue right-of-way near Brothers Country Mart. They want to install a 75 foot pole with an attachment of "small cell" facilities in connection with Federal Communications Commission ("FCC") licensed or authorized wireless transmission. Chairman Schmidt contacted Andrew Notestine, Network Real Estate Specialist, and received the following additional information:

- They say there is no distinguishable noise and no radiation if less than 38 feet above ground and directly in front of the dish.
- They will also be contacting Polk County to get right-of-way approval due to 75<sup>th</sup> Avenue being a county road.
- There will be no lights on the pole and no sound pollution.
- They said they really don't need to notify the town but are doing it as a courtesy.

The board reviewed and discussed information that was provided. Supervisor Wallis claimed that he is not in the position to approve this right now, he is not comfortable advocating for a 75 foot pole in the right-of-way and he doesn't have enough information.

**MOVED AND SECONDED BY BURCH/SCHMIDT TO APPROVE WISCONSIN TECHNOLOGY NETWORKING UTILITY INFRASTRUCTURE IN THE RIGHT-OF-WAY AT 75<sup>TH</sup> AVENUE AT NYE TO INCREASE MOBILE CELLULAR NETWORK. ROLL CALL VOTE: DOUG SCHMIDT: YEA, DAN BURCH: YEA, MIKE WALLIS: NAYE. MOTION CARRIED 2-1**

**2016 Road Work**

The board reviewed the 2016 road work summary as Paul Baker, Public Works Supervisor provided information on the progress of various road work projects for this year.

- Chip sealing is done on 120<sup>th</sup> Avenue, Ravine Drive and Horse Lake Lane.
- Fahrner has provided an estimate to centerline stripe 120<sup>th</sup> Avenue from 210<sup>th</sup> Street to Summit Road and Ravine Drive from Dresser/Osceola border to end of chip seal.
- Crack filling is done on 240<sup>th</sup> Avenue between State Rd 35 and CTH M.
- Microsurfacing is done on 70<sup>th</sup> Avenue. People have commented that they like the way it looks.

- Big Lake Drive will be blacktopped on August 3, 2016. Property owners were notified of the dates that Big Lake Drive would be worked on.
- Oak Drive patching has been completed, with shouldering still needing to be worked on.
- Scrub seal and line painting on 120<sup>th</sup> Avenue will be done in August.

### **Plans for Easement at Sand Lake**

Chairman Schmidt and Paul Baker have been working on a plan to install stairs at the Sand Lake access. After speaking to three different contractors to get estimates, Chairman Schmidt has asked Paul to cease and desist on all plans for the easement. Estimated cost is triple that of what he anticipated, with the lowest estimate coming in at \$19,900.

### **PLAN COMMISSION REPORT:**

- The Plan Commission reconsidered the proposed new zoning map at the July 12, 2016 meeting and amended the map before recommending approval to the Town Board.
- A Public Hearing on the proposed new zoning map was held July 25, 2016 at 6:30 p.m.

### **PUBLIC WORKS REPORT:**

- Landowner wants a stump removed. Chairman Schmidt said that Polk Burnett took the tree down and to ask the landowner to contact Polk Burnett to find out if they will remove the stump.
- Beavers keep filling the culvert by the Rod & Gun club with debris. Paul met with Pete from the DNR and he highly recommended that we get someone in to trap the beavers and keep it under control. There are USDA trappers, or we can get our own. It's a dangerous situation going into the culverts. Once the situation is under control there are grates that can be installed on the culvert to keep the debris out. He said the culvert may need to be replaced in the next couple of years. Paul said it is high on his priority list to get something done about the beavers.

### **CHAIRMAN'S REPORT:**

- Chairman Schmidt approved a request from Options for Women/Tri-County, to hold a 5K event. Information was provided by event organizers, as has been done previously for a number of years.

### **Supervisor Mike Wallis**

- A final draft of the boundary agreement plan has been approved and moved on to the two boards to take it from there. A public hearing will have to be coordinated between the two boards. Mike said the good news is that the plan has been completed in the time frame that the resolution stated.

**Supervisor Dan Burch**

- The next Ambulance Board meeting is scheduled for August 17, 2016.
- The DOG Fire Board Meeting was held July 21, 2016. There was discussion of prioritizing an equipment list for the expansion of the Alden Fire Hall.

**CLERK-TREASURER'S REPORT:**

Clerk-Treasurer Lorraine Rugroden reported that as of July 31, 2016 bank account balances were 15,968.95 cents in the Town's checking account and \$394,542.95 in the Regular Money Market Account and C/D's and \$23,623.62 in the tax deposit account, amounting to total Cash-on-hand of \$449,141.60.

**NEXT MEETINGS:**

Tuesday, September 6, 2016 Town Board Meeting

Town Board Meeting Agenda:

- 2016 Road Work
- Haas Pit Amendment
- Boundary Agreement

**ADJOURNMENT:**

**MOVED, SECONDED BY BURCH/WALLIS TO ADJOURN THE AUGUST 2, 2016 TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.**

Being no further business to come before the Board, the Meeting was adjourned at 8:15 p.m.

**APPROVED: 9/6/2016**

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Lorraine Rugroden, Clerk/Treasurer