

**TOWN OF OSCEOLA  
SPECIAL BOARD OF SUPERVISORS MEETING  
September 18, 2018**

**MINUTES**

The Board of Supervisors of the Town of Osceola met for a special town board meeting Tuesday, September 18, 2018 at 6:30 PM at the Town of Osceola Town hall at 516 East Avenue North in Dresser WI.

**TOWN OF OSCEOLA CHAIRMAN DOUG SCHMIDT CALLED THE MEETING TO ORDER AT 6:30 P.M.**

**Verification of the meeting posting.**

The notice of this Special Town Board Meeting was posted September 14, 2018 at the Town Hall, Dresser Post Office, the First National Community Bank and the Town of Osceola website.

**ROLL CALL:**

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

**ABSENT:**

**ALSO PRESENT:** Lorraine Rugroden, Clerk-Treasurer, Kevin McNutt, Karter McNutt, Joe Gaffney, Kirk Johnson, Tanner Olchefske, Duane Wolter, Amy Middleton, Sheri Hoiby, Jeff Jonas, Jim & Donna Berg, Eric Hallen, Terry & Bonnie Demulling, Ross Morelock, Ricky Jaeger, MaryLou Baillargeon, Todd Theobald, Steve & Suzanne Wentz, Micah & Katie Bruns, Wes & Jolene Geyer, Jess Theft, Todd Grant, Brandon Whittaker, Bob Wright, Roger Peterson, Spencer Feldt, Paul Baker, Suzanne Lindgren, Sharon Dole, Rick McGuiggan, Craig Kushava, David Peterson and Colin Hendricks

**AGENDA**

**MOVED AND SECONDED BY BURCH/WALLIS TO APPROVE THE AGENDA FOR THE SEPTEMBER 18, 2018 SPECIAL TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC COMMENT**

None

**Letter to Polk County Supervisors and Environmental Services Committee In Support of Stower Seven Lakes State Trail Remaining Non-motorized**

Amy Middleton, Plan Commission Member, asked the Town Board to send a letter to the Polk County Board and Environmental Services Committee members reiterating the town's position of wanting the Stower Trail to remain non-motorized, year-round. Resolution 17-05, unanimously passed by the board in 2017, stating the town is in favor of the trail remaining non-motorized, would also be sent. Chairman Schmidt read Amy's letter and then read a letter written by Supervisor Wallis that addressed the issue that the town's representative on the trail planning subcommittee was nominated without input from all board members.

Supervisor Wallis felt Amy's letter missed the mark and that the reason for the letter was that they were addressing a mistake that was made. He said let's explain what happened and tell them the whole story. Chairman Schmidt reminded the supervisors that they all received notification to select a member for the committee but nothing was said until after he made a recommendation. Then he told the board that they could make their own recommendations.

Brandon Whittaker said if Wallis' letter is sent the way it's written there would be legal action taken to the Town of Osceola. Supervisor Wallis suggested reworking the letter and bringing it back to the October meeting. Both Schmidt and Burch were in favor of sending Amy's letter to the County Board.

Supervisor Burch said he has four wheelers and uses the trail. This board is not anti-motors. We've opened up all the roads to ATVs and UTVs. He attended the public hearing at the county and kept a running tally. It's not something we took away from anyone. We have a resolution. That resolution was done with a process. It's important that we have representation.

The audience was mainly comprised of ATV and UTV enthusiasts. Some of the comments included:

Kevin McNutt thanked Brandon Whittaker and Katie Bruns for serving on the trail sub-committee. He and many others stated that the 10 year old survey is old data. He is looking for ways to work together and everyone share public land.

Rick Mcguiggan said he served on the subcommittee also. Everyone did a good job. They worked with limited information.

Kurt Johnson land owner on the trail says "the trail rarely gets used. Corridor trails are used to connect to other trails (bike trail, truck trail, ATV trail, etc.) This is a corridor trail. To restrict it to only one or two user groups and not allow all taxpayers to use it, is a misuse of that trail."

Eric Hallen doesn't think the town should be involved in any aspect of the trail as it is a county and DNR issue. Garfield didn't have a word to say about it.

Katie Bruns wants the process to be slowed down in order to get the facts and then move forward.

Sheri Hoiby has lived here before 2008, and didn't address any survey issues about walking, hiking, or biking. She would also like to ride her horses on the trail.

Bob Wright agreed the process needs to be slowed down. The point that is being missed is that non-motorized doesn't want to encounter motorized. The Town has an interest in this issue. We are voicing the town's position through their elected officials.

Duane Wolter said “we keep talking about economics - what is good for our area. Not to many non-motorized spend money. We have enough problems without making this a problem.”

Rick Yeager is surprised the board would not be more supportive of motorized. “With Polaris in Osceola, we should be celebrating that. Osceola should be a mecca of motorized sports.”

Kevin Nelson submitted a letter asking:

1. What are the specific reasons the trail cannot operate as a shared use?  
Have the motorized user groups been given an opportunity to work with the non-motorized users groups to see if a solution can be found?
2. Has anyone from the Polk County board reached out to surrounding counties with shared use trails to find out what they are doing to enable shared use?
3. If the Stower Seven Lakes State Trail remains non-motorized will all the funds provided by motorized user groups, (specifically from UTV and snowmobile registration fees) that have been spent in any way to develop the trail be returned to those groups or used to specifically develop motorized trails?
4. If the Stower Seven Lakes State Trail remains non-motorized is there a plan to add an equivalent length of motorized corridor trail to link with surrounding trails?

The Town Board reaffirmed its position that the Stower Seven Lakes State Trail remain non-motorized with the following motion.

**MOVED AND SECONDED BY BURCH/SCHMIDT TO APPROVE SENDING THE FIRST LETTER TO POLK COUNTY SUPERVISORS AND ENVIRONMENTAL SERVICES COMMITTEE IN SUPPORT OF STOWER SEVEN LAKES STATE TRAIL REMAINING NON-MOTORIZED. MOTION CARRIED UNANIMOUSLY.**

The ATV and UTV enthusiasts were not happy with the board’s decision. Kurt Johnson said the vast majority of the people here are not in favor of the letter being sent. He did not think it was representative of the town. “I don’t know why I left work early to get here. Represent or respect the people who decided to make time to look at specifically what you guys are doing right now. I think your vote tonight should represent the people who decided to show up tonight.”

Bob Wright, Plan Commission member said “the board’s decision was part of a month-long or even years-long discussion, not to be changed in one night. We went through the democratic process to get to where we are right now.”

### **Public Nuisance & Non-compliance Letters**

A town resident contacted Chairman Schmidt asking why her property is being targeted as a public nuisance property when a neighbor’s property is not been treated as a public nuisance property. Supervisor Wallis agreed to talk to the owner as long as the board is consistent with what has been done in the past.

Chairman Schmidt said there was some concern expressed of issues that had been brought before the board, that Sharon Dole didn't think were being addressed. Chairman Schmidt has since had a conversation with her and asked if she now had any other concerns the board could address. She said that last meeting the board encouraged a party to put up a fence and she wants to caution the board about that. A fence needs to be maintained. It could harbor additional animals that could become a problem. A fence does help to protect unsightliness but it also needs to be maintained. You don't put a band aid on a broken arm. It doesn't add anything to our community value. A person needs to be accountable.

Non-compliant letters have been written to be sent to Lee Rushenberg and Trudee Bealka. The Clerk of Court's office said that the Town can issue a paper citation and file a paper copy with the Polk County clerk of Court but they want a letter from the town's attorney indicating that they represent the town. Chairman Schmidt will ask Tim Laux for a recommendation of an attorney that is closer than our current attorney at River Falls. Once the town has decided on an attorney, citations will be written and letters will be sent out.

Supervisor Wallis said that if it goes to the next step of abatement, it would be at the landowners expense. The board agreed to delay action until October meeting. The Eveland and Revord letters will be sent out.

### **68<sup>th</sup> Avenue Road Work**

The board discussed grinding 68<sup>th</sup> Avenue beginning at 218<sup>th</sup> Street and ending at the Warren Johnson farm. Paul Baker said that culverts can be done before grinding or after grinding. The board reviewed the estimates to grind and repave .62 miles of 68<sup>th</sup> Avenue

Monarch recommended that gravel not be put on the top of the road as it would interfere with the grinding. If the road is ground this year it can be driven on and packed down all winter.

Cost estimates for .62 miles of road:

3,400 ton Trap Rock 6" base	\$18,700
Hauling of Trap Rock (150 loads)	\$13,600
Culverts (2)	\$ 3,000
Boring Samples	\$ 2,750
Grind	\$ 5,746
Pave 3 Inches of Black Top	\$100,672
2 foot shoulders	\$5,666
300 ton Trap Rock	\$1,650
Total	\$151,800

The board is considering paving with three inches of black top instead of 2½ inches because they want the road to hold up under the heavy farm equipment and large trucks that will use the road.

**MOVED AND SECONDED BY SCHMIDT/BURCH TO APPROVE MONARCH GRINDING .62 MILES OF 68<sup>TH</sup> AVENUE FOR THE AMOUNT OF \$5,746. MOTION CARRIED UNANIMOUSLY.**

**Adjournment**

**MOVED AND SECONDED BY WALLIS/BURCH TO ADJOURN THE MEETING. MOTION CARRIED UNANIMOUSLY.**

Being no further business to come before this Special Town Board meeting, the meeting was adjourned at 8:07 PM.

**TO BE APPROVED: 10/2/2018**

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Lorraine Rugroden Clerk-Treasurer