

**TOWN OF OSCEOLA
PUBLIC HEARING
Tuesday, October 22, 2019**

MINUTES

The Board of Supervisors of the Town of Osceola met for a Public Hearing on Tuesday, October 22, 2019 at 6:30 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

THE PURPOSE OF THE PUBLIC HEARING WAS TO LISTEN TO PUBLIC COMMENTS REGARDING CHANGING FROM A THREE TO A FIVE MEMBER BOARD.

CHAIRMAN DOUG SCHMIDT CALLED THE PUBLIC HEARING TO ORDER AT 6:30 P.M.

Notice of the Public Hearing notice had been published in the SUN newspaper and posted at the Town Hall, Dresser Post Office, First National Community Bank and the website.

ROLL CALL

PRESENT: Doug Schmidt, Mike Wallis and Brandon Whittaker

ABSENT: None.

ALSO PRESENT: Jo Everson, Interim Clerk/Treasurer, Neil & Bekah Gustafson, Rick Nelson, Sandra Ball, Josh & Lisa Marincel, Kim Kaiser, Tim Loesher, Eric Hallan, Mark & Denise Skjerven, Glyn Thorman, Alice Moris, Tom & Gae Magnafici, Ed Everson, Michael Joe McCling, Jeff & Kathy Cronick, Jon Cronick, Terese & Jeremy Utke, Amy Middleton, Ron & Ellen Race, Dean & Diane Anderson, Matt Anderson, Matt Ressink, Chelsea Kinse, Philip Mathison, Tony Havronek, Deb Dibble, Jane Carlson, Steve Heichel, Richard Berg, Joyce Robinson, Donna & Jim Berg, Lanette & Merri Johnson, Katie Bruens, James Rochford, Steve Stroshane, Mary Weinberg

Chair Schmidt called for public comments regarding the possibility of expanding the existing 3-member town board to a 5-member town board.

Amy Middleton, River Road, reminded the Board of recent town history regarding this issue, stating that the electorate had voted it down twice before. She urged the Board to follow the process by bringing it back to the Annual Meeting, giving it a more transparent and more diplomatic process. Additionally, she felt by adding an election to the new staff would throw the town in more chaos.

Mary Wynberg, 200th Street, questioned what is the justification of changing from the existing 3-member board to a 5-member board. What is it the board is looking for?

Supervisor Whittaker responded that there would be better representation of the people. He explained what a quorum is; that each of the members cannot speak to another member outside of a meeting, and by doing so would violate the open meeting law. A staggered election would protect against the possibility of a whole new board being elected at one time. The Town of Osceola's population currently is 2,919, the largest in the County.

Chair Schmidt further explained the difficulties of avoiding quorum violations, but he felt the advantage to a 3-member board forces decisions to be made before the public, rather than possibly having only two members (of the 5-member board) making a decision prior to the meeting itself. A walking quorum was also explained.

Eric Hallen, 218th Street, stated he was in favor of a 5-member board, suggesting perhaps getting rid of the Planning Committee.

Tom Magnafici, 200th Street, questioned the process of the appointment to the Planning Commission.

Chair Schmidt explained the process in that the entire Board approves or denies the Chair's recommendations.

Phill Madison, 75th Avenue, questioned who the Chair of the Planning Commission is, and is there a quorum of the Board in attendance at the Planning Commission.

The Chair explained that he was the Chair of the Planning Commission, and that the positing of meeting state that a quorum of Town Board and/or Planning Commission may be in attendance.

Lynette Johnson, 68th Avenue, questioned what committees each of the Board Member belong to.

The Chair explained that Supervisor Whittaker is on the Osceola Ambulance Board, Supervisor's Whittaker and Wallis are on the Fire Association Finance Committee, and all three Board members are on the governing board of the Fire Association, and Chair Schmidt is the Chair of the Planning Commission.

Mary Flood, 250th Street, questioned why can't the issue wait until the Annual Meeting, and who would appoint the additional two members if it cannot. And further, questioned Supervisor Whittaker's comment that it was important that "Osceola went the right way".

Supervisor Whittaker explained the election process, if done in 2020; two supervisors would have two-year terms. If all four were elected in 2021, two of the four would be elected for two-year terms and two would be elected for one-year terms. Whittaker explained his comment meant that going to a five-member board would be going in the right direction for the size of our town.

Mark Skjerven, 218th Street, explained that he had previously sat on a Planning Commission in Oakdale, and the Council representative merely sat in on the meeting, and questioned why the Chair of the Board is the Chair of the Planning Commission. He also questioned whether "the way it always has been" is not always what it should be.

Steve Shoshane, 220th Street, explained that when he was on the Board he was also Chair of the Planning Commission. Often times it seemed that the Chair was the most prepared to set the agenda and aware of the agenda items.

Shoshane continued by providing detailed history of this issue in the Town. At the 4/13/98 Annual Meeting, there was an advisory motion to increase the number of supervisors from two to four to create a five member board (16 yes, 4 nays). At the June 15, 1998 a Special Citizens Committee meeting it recommended a public hearing be held, and on July 27, 1998, a resolution was drafted to recommend an advisory referendum question. At the August 10, 1998 Town Board Meeting this report was accepted by the Board. A Resolution was adopted by the Board to deny the 5-member board, with reasons of cost, inefficiency, the population was not greater than 2,500, and the study was inadequate by the Special Citizens Committee. It was again discussed at the April 8, 2008 Annual Meeting, with a recommendation to the Town Board to create a 5-member board, with 18 yes, 2 nay and 1 abstention. Shoshane stated he had not followed up to determine what the results were from that meeting, but because there are only three members on the board at this time, obviously that result was not to increase at the time. Shoshane stated he was in favor of a 5-member board, but not until the 2021 election, and approving it at a town meeting.

Supervisor Whittaker informed the public that in order for this issue to be put on the April 2020 election it would need to be approved before November 5th. He also stated that he had offered up \$2,000.00 of his current pay to help pay for the new supervisors. Whether or not the other Board members would agree to do the same is their decision.

Amy Middleton cautioned the Board not to make public policy by the offer of pay by another member. The Board should be paid for their time.

Ellen Rice, 88th Avenue, did not believe that the three board members should be deciding this major issue; it should be made by the electorate.

Tom Magnafici stated that a 5-member board would allow for more review of expenditures, with examples of the pay differential between 19 other townships, and insurance cost increases.

Jim Berg, 68th Avenue, stated he was in favor of the 5-member board stating there would be better representation than a 3-member board.

Terese Utke, 75th Avenue, stated there are policies in place to make changes for urgent issues. There have been more people attending the last few meetings regarding this issue than there have been at the past electorate meetings who actually voted on the same issue. The recent straw poll votes at each of these meetings have shown the majority is in favor of increasing the number of board members.

Kim Kieser, 91st Avenue, thanked the Board for having the public hearing. The process should not be circumvented. The Board should be concentrating on filling current position vacancies than spending time at special meetings and elections.

Mary Flood questioned why the recent resignations were submitted, and if a factor included how things are currently being run.

The Chair responded that the conversations regarding the resignations were private information.

Ed Everson, 235th Street, stated he was in favor of a 5-member board and had questions regarding the process.

Chair Schmidt and Supervisor Wallis explained that the process of the Public Hearing would help the Board make the decision whether to increase its membership or remain the same.

Mary Wynberg thanked the Town Board for having the public hearing and further stated that a 5-member board is very interesting and should be considered seriously, but at an annual meeting since it is not an emergency situation.

Glyn Thorman, 218th Street, reminded those present that the public elected these board members to make decisions on their behalf. They have two years to represent us, and if we don't like their decisions we elect someone new at the next election. He stated that he didn't believe this decision needed to be a drawn out process, and we need to trust them. He encouraged the board to do what they were elected to do.

Chelsea Kruse, 208th Street, questioned what the next process and would the Board be taking action after this public hearing.

Supervisor Wallis explained that public hearings are a way of diplomacy, and gives people a trigger point to come to a meeting on that particular agenda item. The Board may or may not take action on it during their Board meeting.

Phill Madison, 75th Avenue, requested a straw vote of who is in favor of the 5-member board (of which a majority of those present indicated support by a show of hands).

Katie Bruen, address, questioned what exactly would be the next step if this was approved, and what would be the cost of the special election as well as the new board supervisors' wages.

Supervisor Whittaker explained the nomination process and those names would be placed on the ballots to be voted on at the spring election. He also explained that current board members receive \$6,114.00 each and the chair receives \$10,239.95. The electorate votes on the wages of the Town Board, although his proposal would actually put money back in the budget. The cost of the special

election for the town itself is unknown, but with the other state and/or federal offices that would also be voted upon, the cost should be minimal.

Richard Berg, 60th Avenue, questioned how many people come to Annual Meetings on the average (the Chair stated approximately 20). He noted that there were definitely more people than that at this meeting. He went on to state that meeting a quorum for a meeting is often difficult for three members and it would seem that it would be easier to coordinate a 5-member board.

Tom Magnafici stated he believes the cost of the election itself is irrelevant in comparison to a 31% increase in insurance costs for the Town.

Tony Havranek, 117th Street, questioned if there were any specific issues that are not be addressed by a 3-member board that should be made by a 5-member board? Are there any policies or ordinances in place that could be tweaked to help in establishing a quorum in an emergency?

Supervisor Whittaker explained that it is difficult making decisions when there are only 2-members present because 2-members out of 3 make the quorum. However, it is very uncomfortable knowing that only two people are making decisions for 2,900 residents. Whittaker also commented that having the necessary experience and knowledge is so important, which can be jeopardized if a whole new board of three members were to be elected at one time. Having a 5-member board would guarantee that someone on that board would be experienced to a certain degree since the terms are staggered.

Kim Kaiser questioned the board if they were trying to circumvent the process by asking so many friends/people to attend these meetings.

Lisa Marincel, 73rd Avenue, stated that it seemed like the process feels rushed, and is not following the democratic process when there are so many in the town that do not know that this issue is going on. She thanked the board for their service.

Jon Cronick, 70th Avenue, wanted to clarify the term "taking it to the people" is not literally taking a ballot vote on the issue. In reality it is only those people who show up an Annual Meeting in April. But if we wait till April we do not have the staggered terms as easily, and we risk having a full new board. Additionally, if we have an issue, and there are members of the 3-member board who must reclude themselves (like the trap rock issue), we only have two members or maybe not even a quorum to address the issue.

Mark Skjerven questioned if the new supervisor's pay would be adjusted so that there would be no added cost to the taxpayers until the election.

Chair Schmidt explained that it was Supervisor Whittaker's proposal that the current board's salaries would be reduce to fund the new member's pay in order to avoid raising taxes. However, at this time it would be strictly a voluntary gesture for the Board, because salaries are set by the electorates at an Annual Meeting and cannot be changed during the term of the board member. The new board member's (if approved) would have to agree to work at a lower rate than the current board member's pay under Whittaker's proposal. The potential is there that they would not agree to work at the reduced pay so the Town would have to pay them the same as the current board member's pay.

Tom Magnafici stated that going to these meetings are important and by not going to the meetings you are missing out on what is happening, because these issues affect your lives in many ways.

Mark Skjerven stated that this is not a public emergency we are dealing with, but the urgency certainly makes sense. It's not a ballot box issue, but the decision would be up to people who may have just showed up and would make an uninformed decision.

Dean Anderson, Horse Lake Lane, there is too much responsibility on this board for just three people; it makes sense to spread that responsibility out over five members.

Amy Middleton agreed that it is allot of responsibility for only three people, but it should be kick backed to the Annual Meeting in April. The process to include the citizenry is a better process.

Joyce Robinson, 200th Street, questioned if the Board doesn't decide to approve the 5-person board tonight and waited until the Annual Meeting, would that delay the process until the 2021 election? (yes)

Steve Heichel, 200th Street, stated he was in favor of a 5-member board to be implemented immediately.

Kate Skjerven, 218th Street, stated she was in favor of a 5-member board and had listened to allot of comments and history over the past couple of meetings. There does not appear to be much negative opinions about the issue, but mostly positive ones. She encouraged the board to approve it and move on to other important issues.

Mark Skjerven stated he was amazed at how much work just goes into the budgeting process. It is important that more people participate in meetings.

Rick Nelson, 192nd Street, commented he had lived in this area 54 years and was floored that there was only three members on the town board. Three people are just overloaded and need help. For continuity sake, there should be a 5-member board as soon as possible.

Neil Gustafson, 70th Street, stated that he is in favor of 5-member board, and see no reason to wait. Tonight [the public hearing] is the example of democracy; the public has giving you its opinion. If we wait until April, the same people will give the same opinions.

Katie Burins submitted a written comment (and was in attendance) reiterating that the democratic process should be expanded to allow for comments at the Annual Meeting.

Tony Havranek questioned if the town has the option to put the question on a ballot? (answer is unknown)

ADJOURNMENT

MOVED, SECONDED BY WALLIS/WHITTAKER TO ADJOURN THE PUBLIC HEARING HELD THIS OCTOBER 22, 2019. MOTION CARRIED UNANIMOUSLY.

The Public Hearing was adjourned at 7:51 p.m.


Jo Everson, Interim Clerk/Treasurer

APPROVED: 11/05/2019