

**TOWN OF OSCEOLA  
TOWN BOARD MEETING  
TUESDAY, NOVEMBER, 5, 2019 AT 6:30 P.M.**

**MINUTES**

The Board of Supervisors of the Town of Osceola met for a regular monthly on Tuesday, November 5, 2019, beginning at 6:30 p.m. at the Osceola Town Hall, 516 East Avenue North, Dresser, Wisconsin.

**CALLED THE MEETING TO ORDER:** Chair Doug Schmidt called the meeting to order at 6:30 p.m.

**VERIFICATION OF MEETING POSTING:** Interim Clerk/Treasurer verified the meeting was posted on October 25, 2019 at the Town Hall, the Dresser Post Office, First National Community Bank and the Town website.

**PLEDGE:** Chair Schmidt led those present to Pledge Allegiance to the United States of America.

**ROLL CALL:**

**PRESENT:** Doug Schmidt, Mike Wallis and Brandon Whittaker

**ABSENT:** None

**ALSO PRESENT:** Jo Everson, Interim Clerk/Treasurer, Public Works Supervisor Paul Baker, Chris Swartz, Patrick McElhone, Sr., Jim & Donna Berg, Neil & Bekah Gustafson, Mark & Denise Skjerven, Joyce Robinson, Tim & Kris Braml, Katie Bruins, Tony & Brenda Johnson, Ginger Sajna, Boyd Dosch, Sandra Ball, Kim Kaiser, Tom & Gae Magnafici, Ed Everson, James Rochford, Terese & Jeremy Utke, Jon Cermin, L Nelson, Mary Weinberg, Ryan Lee, Diana Anderson, Jason Swanson, Bob & Kym Wright, Jim & Ellena Langer, Marcia Dressel, Jon Cronick, Rick Nelson, Alice Moris, Chelsea Kinse, Jim Judkins, Mary Luxman, David Elausky, Linda Hendrix, Conall Gallagher, Amy Middleton, Richard Berg, Matt Anderson of Osceola Sun Newspaper, Mary Stirrat of InterCounty Leader

**PRESENTATION OF BILLS:** Check Numbers 16649 – 16701 were approved by the Board, totaling \$10,854.50.

**AGENDA:** MOTION BY SCHMIDT/WALLIS TO MOVE AGENDA ITEM **J. CODE OF ETHICS** TO BELOW AGENDA ITEM **B. PRESENTATION OF ORGANIZATION STUDY**. MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENT:** The Chair reminded those wishing to speak under Public Comment that each speaker would be limited to only three minutes, with a total of thirty minutes allowed.

[Many of the public in attendance came to speak to the Board about CAFO's, **Concentrated Animal Feeding Operation**. A **CAFO** is a specific type of large-scale industrial agricultural facility that raises animals, usually at high-density, for the consumption of meat, eggs, or milk. To be considered a **CAFO**, a farm must first be categorized as an animal feeding operation (AFO).]<sup>1</sup>

Ramona Moody of the Town of Trade Lake, provided information regarding ground water and land use maps within the township. She recommended that a committee be formed to review information regarding CAFO's, to have an educated basis how to proceed in the town.

Bob Wright wrote a letter to the editor recently regarding what he believes are "an instability in recent meetings" and that discussion can be had on things that everyone may not agree with as long as it is done with respect.

Amy Middleton stated that the Planning Commission is the workhorse for the Board, and they are charged with examining issues before the Town or coming before Town. The Town should not be

caught flatfooted by the CAFO issue. She is concerned that there have been attempts to intimidate those who may not agree with certain issues before the Town.

Kim Kaiser owns 100 acres and expressed concerns that there could even be a possibility of a CAFO moving into the area impacting her property. The Town needs to plan for them.

Ryan Lee stated he sees a crossroad and opportunity for the Town to map a way for proper policies that would be advantageous for everyone involved, before CAFO's can impact our Town. Franconia Township in Minnesota should have done the same planning process prior to the installation of hundreds of acres of solar panels in the past few years in that township. This research could be done by a sub-committee or by the Planning Commission.

Kim Dupray from the Town of Trade Lake, who lived a mile and one-half from the largest manure spill in state history by Emerald Sky Dairy, explained her personal history with that disaster and encouraged the Town to do whatever the Town can do to protect itself because the state will not help.

Katie Bruins encouraged the Board to go through the process to manage the possibility of CAFO locating within the Town. Review, allow and consider the necessary information available and be proactive making any decisions.

Lorraine Nelson offered a plan to use her as a neutral mediator, who would lead the group through a process in order to make good decisions regarding this CAFO issue facing the Town.

Linda Hendrix representing the St. Croix River, stating 1-year moratorium in Burnett County and 6-month moratorium in Polk County has delayed the relocation of an Iowan 26,000 hogs farm in Wisconsin. She pleaded that more must be done to protect the unique National Scenic Riverway and its adjoining properties.

Howard Paul recommended northern Wisconsin needs to look at other states with regard to CAFO's, and it would be a wise move to put regulations into action before they move into this area. There are currently 10,000 of CAFOs in Iowa; one per every five miles and producers say that there is room for 3x's more.

Kathleen Ovarik is currently looking for property in Polk County, and gave assurance that if there is a possibility of CAFO moving into this area it would impact that decision not only for herself but no doubt for others as well.

Marilyn Nelson suggested that a good resource to review is a 2006 study completed by the Pew Research Group, which spoke as to how CAFO's affect neighbors' property over a 40-year period.

Patrick McElphone suggested that the problem of shipping all these animals from a CAFO would exponentially worse than just the manure problem.

Tom Magnafici agreed with Bob Wright in that the rhetoric needs to be toned down, and less letters to the editor need to be written. He stated he believes everyone at the meeting wants what's best for the Town, and encouraged all those present to continue their interest in the Town.

A letter from Warren Johnson was read aloud by Everson. Much of the information spoke to the recent letters to the editors by Planning Commission members, and the divisiveness that he suggested permeates the Town Board, which he believes was created by [certain] Planning Commission members. He questioned if the Town has a Code of Ethics. He also spoke to the recent decision by the Board to delay the election of a 5-person town board until 2021 rather than 2020 election that was suggested and supported by the people who attended the public hearing at the October 22, 2019 meeting.

An e-mail from Eric Hallen was read aloud by Everson. He recommended that term limits for Planning Commission members should be implemented since many of them have been on the Commis-

sion for quite some time. The Town Board should appoint the members. This would alleviate personal agendas and have the committee work towards the best interests of the Town.

**NEW BUSINESS:**

**SWEARING IN OF INTERIM CLERK/TREASURER**

Since former Clerk/Treasurer Lorraine Rugroden's last day of employment was October 31<sup>st</sup>, Chair Schmidt administered the Oath of Office to volunteer Interim Clerk/Treasurer Jo Everson.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION BY WALLIS/WHITTAKER TO APPROVE THE MINUTES OF THE FOLLOWING TOWN BOARD MEETINGS: OCTOBER 1, 2019 REGULAR BOARD MEETING; OCTOBER 10, 2019 SPECIAL BOARD MEETING; OCTOBER 22, 2019 PUBLIC HEARING; AND OCTOBER 22, 2019 SPECIAL BOARD MEETING. MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

**PRESENTATION OF ORGANIZATIONAL STUDY BY PUBLIC ADMINISTRATION ASSOCIATES**

The Town of Osceola engaged the services of Public Administration Associates, LLC, (PPA) to perform an audit of the Town's organizational structure and staffing, as well as its operational processes. Chris Swartz presented the results of that study. In summary, the Town of Osceola's population is among the top 5% of towns in Wisconsin (and highest of Towns within Polk County), has a population of 2,908, with expectations to substantially increase by 2040 to 4,055. It is one of the wealthiest in Polk County at a median income of \$45,775, and highest per capita in property values at \$90,738.48. The report continued with analysis of the operations of the Town, including the Board and Governance, Staffing analysis, both in terms of the Clerk/Treasurer position and the Public Works staffing level. Also reviewed were a financial analysis in comparison with area communities, road improvements, capital outlays, tax base, levy and tax rate review, the Town's current social media use, financial system and office software, records management, standing operation procedures, and human resource manual.

The study concluded with several recommendations, of particular interest to the Board were those referring to the position of the Clerk/Treasurer. The Board indicated they will take them under advisement as they proceed with the hiring process in the near future.

There were questions from the Board and minor corrections made in the report. Swartz will make the necessary changes and submit the final draft to the Board in the near future. There was no action taken by the Board at this time.

**CONSIDER CODE OF ETHICS**

The Chair turned the meeting over to Supervisor Whittaker who requested this topic to be placed on the agenda. Whittaker explained that he had spoken with the Town Attorney recently regarding several letters to the editor and certain comments that have been made at Board Meetings that border on misinformation, disrespectful and misrepresenting themselves as a board/commission as a whole. While there is always freedom of speech, she did caution signing such a letter using a town title, leaving the reader to assume it was representing "the whole". Recommended was signing only your name, or signing as a "member of" the town board, or the plan commission.

Schmidt suggested that that everyone needs to be careful of what they say and mistakes have been made; statements may have been made that might not have been entirely correct. Others agreed that it was as simple as stating the facts from personal opinions, even though we may not always agree with the facts.

No action was taken at this meeting, although Whittaker intended to continue his research and bring the issue back to the Board at a later date.

**ADOPT RESOLUTION 19-10 TOWN BOARD DIRECTS QUESTION OF INCREASING THE TOWN TAX LEVY FOR 2019**

The Board set the date for the Budget Hearing as required by the State of Wisconsin on October 22, 2019. However, because the proposed budget resulted in a tax levy in excess of the limit imposed by the State, this resolution is required to be adopted by the Board. The tax levy limit is currently \$563,571.00, the 12.54% proposed increase is \$70,674.00 to \$634,211.00.

MOTION BY WALLIS/WHITTAKER TO ADOPT 19-10, A RESOLUTION DIRECTING THE QUESTION OF INCREASING THE TOWN TAX LEVY FOR 2019, AS AMENDED. MOTION CARRIED UNANIMOUSLY. (see attached)

**ADOPT RESOLUTION 19-11 AUTHORIZING BANK SIGNATURES ON TOWN OF OSCEOLA DEPOSITORY ACCOUNTS**

Due to the fact that the former Clerk/Treasurer resigned her position effective October 31, 2019, the Interim Clerk/Treasurer's name and signature must be added to the Town depository accounts.

MOTION BY WHITTAKER/WALLIS TO ADOPT RESOLUTION 19-11 AUTHORIZING BANK SIGNATURES ON TOWN OF OSCEOLA DEPOSITORY ACCOUNTS. MOTION CARRIED UNANIMOUSLY. (see attached)

**AUTHORIZE PLANE TICKET FOR PAUL BAKER TO INSPECT NEW TRACTOR/MOWER**

Whittaker questioned if the Board would be agreeable to allow Paul Baker, Town Public Works Supervisor, to fly to Texas to inspect the new Tractor/mower. There are several advantages to having this inspection done prior to delivery, mainly saving valuable time in delays for possible changes that might need to be made. Whittaker stated he would accompany Baker but at his own costs. Frontier Ag & Turf and Alamo (the company manufacturing the mower) have offered to pay for their hotel cost and meals.

Baker was in agreement that having the inspection done prior to delivery is in the Town's best interests. There was discussion on who would be able available to cover the snow plowing if needed during Baker's absence. He suggested that both Tony Johnson and Ed Everson could provide coverage if needed. If a large storm is predicted during this time he would just cancel the trip. They agreed that Baker would be paid for his eight hours a day for the two days he would be gone.

MOTION BY WHITTAKER/WALLIS TO AUTHORIZE UP TO \$400.00 TO PAY FOR A ROUND TRIP PLANE TICKET FOR PAUL BAKER, TOWN PUBLIC WORKS SUPERVISOR, TO TRAVEL TO TEXAS ON DECEMBER 1<sup>ST</sup> AND RETURN DECEMBER 2<sup>ND</sup> TO INSPECT THE NEW JOHN DEERE TRACTOR AND MOWER. MOTION CARRIED UNANIMOUSLY.

**UPDATE ON 2019-2020 ROAD WORK**

Public Works Supervisor Paul Baker updated the Board on the remaining 2019 road work recently completed. He and the Chair have completed and submitted the LRIP (Local Road Improvement Program) Grant, for 200<sup>th</sup> Street, and the TRID (Town Road Improvement Discretionary Program) Grant for Oak Drive. There was brief discussion regarding the need to repair 93<sup>rd</sup> Avenue.

**UPDATE ON CLERK/TREASURER POSITION**

With the recent resignation of the Town's Clerk/Treasurer's position, the Board must determine the structure of the position(s), and how to proceed with the recruitment process. Interim Clerk/ Treasurer Jo Everson indicated that she would be willing to fill in voluntarily until January 1<sup>st</sup>, and train in the new employee(s) if necessary. In order to give the Board more time review the Organizational Study by Public Administration Associates, they will meet in a special meeting following the Budget Hearing and Special Town Meeting on November 18<sup>th</sup>.

**SET DATE FOR SPECIAL TOWN BOARD MEETING**

MOTION BY WHITTAKER/WALLIS TO SET THE DATE OF NOVEMBER 18, 2019 FOR A SPECIAL TOWN BOARD MEETING IMMEDIATELY FOLLOWING THE BUDGET HEARING AND SPECIAL TOWN

MEETING, FOR THE PURPOSE OF 1) APPROVING THE 2020 BUDGET; AND 2) THE HIRING PROCESS FOR THE NEW CLERK/TREASURER POSITION. MOTION CARRIED UNANIMOUSLY.

#### **CREATE TOWN FACEBOOK PAGE**

At the October 22<sup>nd</sup> Town Board Meeting, Whittaker requested this issue be placed on the agenda. Interim Clerk Everson recommended that the Board consider establishing a committee of residents to review the Town's Web site and determine if improvements are needed, as well as their recommendation if a FaceBook page would be beneficial for the Town residents. The Chair questioned if the press could help by including language in their article that the Town is seeking three interested residents for the committee. In addition Whittaker and Everson will also be members of the committee. They were directed to submit their recommendation for the Board to consider at a later date.

#### **PUBLIC WORKS REPORT**

Baker reported that he would be doing more brush mowing now that the corn has been harvested. The Sand Lake Boat dock is in need of replacement soon, but can be repaired for a few more years' worth of use. Toilets at the parks have been removed. Plow trucks are ready to roll with salt/sand in place for the first snow storm.

#### **PLANNING COMMISSION REPORT & CHAIRMAN'S REPORT**

The Chair reported that there has not been a Planning Commission meeting this month due to a lack of quorum. He would be bringing back the issue of CAFO's again to the PC, despite their decision previously that there would not be updates to the Comp Plan regarding the issue.

#### **SUPERVISOR REPORTS**

**Mike Wallis** reported that he had inquired to the Wisconsin Department of Natural Resources the status of the pond closure formerly owned by F&A Dairy. He was assured that the process is regulated and monitored by the Department. He also reported that the actual cost of insurance increase in 2019 was less than .5%, rather than the 30% reported at a previous meeting by a resident. He assumed that the insurance refund received by the Town probably was included in their calculations.

**Brandon Whittaker** reported on recent business of the Allied Emergency Services, the consortium that provides fire services to the Town. Jodi Gilbert has been hired as the new Secretary/Treasurer, and will have an office in the Garfield Town Hall. Over 400 people attended the open house at the new Alden Fire Station. There are thirteen members at that Station (#3), with four new members just approved by the Board.

#### **CLERK/TREASURER'S REPORT**

Bank Accounts were: MidWest Bank One Checking at \$27,803.12, and MidWest One Bank Money Market Account \$157,669.23, and MidWest One Tax Deposit Account at \$4,014.64.

Everson also reported that she would be implementing a change in policy in that checks would only be written out once a month, with the exception of payroll and any bills that needed immediate attention. The Board's responsibility is approving the payment of bills, and currently is approving them well after the fact. This change will bring that control back, with regard to whom and for what is being paid out every month.

#### **REQUEST FOR FUTURE MEETING AGENDA ITEMS**

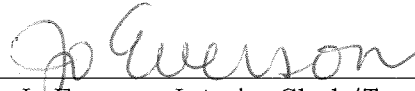
Approve 2020 Election Workers

Approve Planning Commission Member(s)

#### **ADJOURNMENT**

MOTION BY WHITTAKER/WALLIS TO ADJOURN THE MEETING OF THE TOWN OF OSCEOLA HELD THIS NOVEMBER 5, 2019. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Board, the Meeting was adjourned at 10:00 p.m.

A handwritten signature in cursive script, appearing to read "Jo Everson", written over a horizontal line.

Jo Everson, Interim Clerk/Treasurer

**TO BE APPROVED: 12/03/2019**

<sup>1</sup> information obtained at [https://www.cdc.gov/nceh/ehs/docs/understanding\\_cafos\\_nalboh.pdf](https://www.cdc.gov/nceh/ehs/docs/understanding_cafos_nalboh.pdf)