

**TOWN OF OSCEOLA
BOARD OF SUPERVISORS MEETING
Tuesday January 5, 2016**

MINUTES

The Board of Supervisors of the Town of Osceola met for a regular monthly meeting Tuesday January 5, 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 December 28th 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

ABSENT:

ALSO PRESENT: Lorraine Rugroden – Clerk/Treasurer, Bob Wright, Gerald Viebrock, Paul Baker and Suzanne Lindgren

PRESENTATION OF BILLS: Check numbers 15043 through 15083 have been approved for payment by Chairman Schmidt and Supervisor Burch, totaling \$34,414.23. Supervisor Wallis will audit the bills following the meeting.

AGENDA:

MOVED AND SECONDED BY SCHMIDT/WALLIS TO MOVE PENDING LEGISLATION TO THE NUMBER ONE POSITION ON THE AGENDA AND APPROVE THE JANUARY 5, 2016 TOWN BOARD MEETING AGENDA. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT:

Jerry Viebrock stated that he has many concerns regarding pending legislation of Bill 582. After reviewing the bill it seems to open the gates to removing zoning as we know it. It worries him that the planning we have done could be in jeopardy and property rights could be greatly diminished with this bill. He hopes that the town will do everything they can to modify the bill.

MOVED AND SECONDED BY WALLIS/BURCH TO APPROVE THE MINUTES OF THE DECEMBER 1, 2015 REGULAR TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.

MOVED AND SECONDED BY BURCH/WALLIS TO APPROVE THE MINUTES OF THE DECEMBER 15, 2015 SPECIAL TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.

Pending Legislation and Local Control

Bob Wright, Plan Commission member, provided information regarding a new state bill that has been introduced to the senate, SB 464, and assembly bill, AB 582, that was co-authored and introduced by Representative Adam Jarchow to the assembly. Wisconsin Towns Association, WTA, states that, "this is one of the most damaging bills to local control in recent memory that has been proposed. It limits the ability to provide for public health, safety, and welfare through reasonable regulation; and it provides for unfair taxation." The board discussed this very complex bill and will address five different issues with SB 464 in a letter to Senator Harsdorf and AB 582 in a letter to Representative Jarchow.

Bob Wright wrote a letter that he proposed be sent to Senator Harsdorf and the Senate Committee on Insurance, Housing and Trade. The following is the letter was approved by the town board.

As the Board of Supervisors for the Town of Osceola we are writing to express our concerns with Senate Bill 464 and its Assembly companion bill AB 582. We have reviewed AB 582 and considered the concerns brought forward by the Wisconsin Towns Association (WTA), the Wisconsin Counties Association and others. Specifically, we request the following revisions to the bill, as put forward by the WTA :

1. *Please completely remove the vested rights changes.* Local government must have the ability to manage the zoning of undeveloped property in the best interests of all their constituents.
2. *Remove the provisions that require a three-quarters supermajority to pass down zoning ordinances.* Most town boards consist of 3 members, which effectively means a unanimous vote. This is unfair and undemocratic; no other level of government is held to this unrealistic standard.
3. *Remove the changes that create a developer's discount and unfair taxation, and keep the current farmland preservation aspects of use value taxation.* The changes being proposed would discourage the protection of farmland, and reduce the tax revenue of already cash-strapped town governments. Note that in a 2008 survey of Town of Osceola residents, an overwhelming majority supported preserving and promoting the rural character of the Town.
4. *Do not change the current law regarding notification of changes in allowable property use.* Property owners can already request to be notified and the proposed changes just add more expense to tight town budgets.
5. *Remove provisions that prevent local governments from using Comprehensive Plans to prohibit conditional uses.* Comprehensive plans were developed with direct input from residents and therefore are the community's vision on how and where specific types of development are appropriate.

In summary, SB 464, as currently written, significantly restricts the ability of town government to fulfill its primary role, which is to provide for the health, safety and welfare of all the residents in the community.

A letter will also be sent to Representative Jarchow and the Assembly Committee on Housing and Real Estate, addressing AB 582.

MOVED AND SECONDED BY SCHMIDT/BURCH TO APPROVE SENDING LETTER TO SENATOR HARSDORF AND SENATE COMMITTEE AS WELL AS ASSEMBLYMAN JARCHOW AND THE ASSEMBLY COMMITTEE REGARDING SB 464 AND AB 582. MOTION CARRIED UNANIMOUSLY.

Operator License Requests

The following have applied for an operator's license to work at Dresser Trap Rock:

Jennifer Kasal
Janet Geopfert

Hannah Melin

Successful background checks have been completed. All applicants were previously issued a provisional operator license.

MOVED AND SECONDED BY BURCH/WALLIS TO APPROVE ISSUANCE OF OPERATOR LICENSES TO JENNIFER KASAL, JANET GEOPFERT AND HANNAH MELIN FOR THE PERIOD OF JANUARY 5, 2016 TO JUNE 30, 2016. MOTION CARRIED UNANIMOUSLY

2016 Second-hand Dealers License Renewal

Jackie Ammermann doing business as Quarter Mile Antiques has requested renewal of a secondhand article dealer license for 2016 and has paid the license fee of \$27.50.

MOVED, SECONDED BY WALLIS/BURCH TO APPROVE THE ISSUANCE OF A SECONDHAND ARTICLE DEALER LICENSE TO QUARTER MILE ANTIQUES FOR THE 2016 CALENDAR YEAR. MOTION CARRIED UNANIMOUSLY.

Jim Dallanger doing business as J & N Antiques has requested renewal of a secondhand article dealer license for 2016 and has paid the license fee of \$27.50.

MOVED, SECONDED BY WALLIS/BURCH TO APPROVE THE ISSUANCE OF A SECONDHAND ARTICLE DEALER LICENSE TO J & N ANTIQUES FOR THE 2016 CALENDAR YEAR. MOTION CARRIED UNANIMOUSLY.

Plans to Install Reactor at Poplar Lake Substation

Xcel Energy informed the town of their intent to install a reactor at the Poplar Lake Substation on 110th Avenue in the Town of Osceola. Corey Olson, Engineer for Xcel Energy, is working on the reactor project. He stated that the noise generated by the proposed reactor will be 65 dBA which is about the equivalent of a normal conversation. The noise expected at the property line of the substation is about 50 dBA which is about the equivalent of light conversation or quiet suburb with no noise disturbance. The reactor will only generate noise when it is on. The frequency and duration of the "on periods" of the reactor will be dependent on the loading of the electric transmission system which is variable, however, at this time, it is expected that the reactor will be on for 3 or 4 days at a time then off for 3 or 4 days at a time. Construction for the project is scheduled to begin in mid-summer of 2016 with a completion in the early fall of 2016. A picture of a reactor was also provided for the board members review.

Cory Olson provided answers to questions Supervisor Wallis had regarding the project. Cory said that he is not aware of any pending approval for which the town's approval is needed and no other agency approval is needed. He also claimed that vibration associated with the reactor would be minimal. Jason Kjeseth, Polk County Zoning Administrator, said that there were no special sound requirements added on the property when the permits were issued. The town board agreed that they had no major concerns regarding the project plan.

PLAN COMMISSION REPORT:

- The Plan Commission continues to examine both the county and town zoning ordinances to determine which zoning ordinance they will recommend to the Town Board at their March meeting.

PUBLIC WORKS REPORT:

- Paul Baker, Public Works Director informed the board that there is a plow, mower deck and trailer that is no longer being used that could be sold. He would like to sell the equipment and use the money for a salt shed.
- There are big holes on the tractor's mower deck and the mower will need to be replaced. Polk County Highway Department provided information of a business they use at Milltown that builds mowers.
- Attended training where it was recommended that letters be sent to each person living on a private road informing them that a stop sign needs to be provided at the entrance to the town road. If no response after a second letter is sent, then file the letter as proof that they were notified.
- A no public access sign that was installed quite some time ago at a public access at Sand Lake was removed. Landowner next to the easement will remove leaves that had been dumped in the area.

CHAIRMAN'S REPORT:

- A signed Intergovernmental Road Maintenance Agreement was sent to the Town of St Croix Falls for signatures.
- Office Computer has been installed with Windows 10 and are now having some compatibility issues with the printer and recorder.
- Training has been completed and links are ready to be installed on the town's website in order to accept credit card payments by logging into the town website. Card readers have also been made available for at the counter payments.
- The DNR has been contacted and have not received a response regarding F & A Dairy Odor complaint. Representative Jarchow is aware of the latest complaint.

Supervisor Mike Wallis

- The last boundary agreement meeting was held December 21, 2015 at the Village of Dresser and they are in the early stages of drafting and agreement. The next meeting is January 18, 2016

Supervisor Dan Burch

Ambulance Board meeting will be January 21, 2016.

Dresser Osceola Garfield Fire Board Meeting will be January 21, 2016.

CLERK-TREASURER'S REPORT:

Clerk-Treasurer Lorraine Rugroden reported that as of December 31, 2015 bank account balances were \$21,427.12 in the Town's checking account and \$340,965.36 in the Regular Money Market Account and C/D's and \$1,167,011.23 in the tax deposit account, amounting to total Cash-on-hand of \$1,529,403.71.

NEXT MEETINGS;

Tuesday, February 2, 2016 Town Board Meeting

Town Board Meeting Agenda:

- Boundary Agreement
- F & A Dairy Odor

ADJOURNMENT:

MOVED, SECONDED BY BURCH/WALLIS TO ADJOURN THE JANUARY 5, 2016 TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Board, the Meeting was adjourned at 8:43 p.m.

APPROVED: 2/2/2016

Lorraine Rugroden, Clerk/Treasurer