

**TOWN OF OSCEOLA
TOWN BOARD MEETING
TUESDAY, JANUARY 7, 2020 AT 6:30 P.M.**

MINUTES

The Board of Supervisors of the Town of Osceola met for a regular monthly on Tuesday, January 7, 2020, beginning at 6:30 p.m. at the Osceola Town Hall, 516 East Avenue North, Dresser, Wisconsin.

CALLED THE MEETING TO ORDER: Chair Schmidt called the meeting to order at 6:34 p.m.

VERIFICATION OF MEETING POSTING: Chair Schmidt noted that there had been some changes to the agenda that was posted on January 3, 2020 and verified that the meeting was posted most recently again on January 6, 2020 at the Town Hall, the Dresser Post Office, First National Community Bank and the Town website.

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

ROLL CALL:

PRESENT: Mike Wallis, Brandon Whittaker and Doug Schmidt

ABSENT: None

ALSO PRESENT: Neil Gustafson - Interim Clerk/Treasurer, Public Works Supervisor Paul Baker, Steve Stroshane, Diana Anderson, Rebekah Gustafson, Jim & Donna Berg, Jon Cronick, Mark & Denise Skjerven, Warren Johnson, Bernie Desmarais, Ben & Lisa Melin, Sandy Ball, Tom Magnafici, Bob Wright, Ed & Jo Everson, Matt Anderson of Osceola Sun Newspaper.

PRESENTATION OF BILLS: Check Numbers 16752 through 16783 were approved by the Board, totaling \$1,057,556.33.

AGENDA: Chair Schmidt noted that item 9e under New Business had been changed from a previously posted version of the agenda.

MOTION BY WALLIS/WHITTAKER TO ACCEPT THE AGENDA. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT: Chair Schmidt opened public comment and 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 and that residents of the Town of Osceola reserve the first right to speak.

Amy Middleton, Town of Osceola, wanted to touch base on the topic of Facebook and provide some feedback since it was on the agenda for this meeting. She wants to see a clear policy that the Board sets with very articulate guard rails, that it is known who the manager is, that there is no cyber bullying, someone is monitoring the site, outsiders can't post on it and someone is reviewing comments. All of these things go into properly managing a Facebook page that a business has. She felt that this is one more place for the Town to have to monitor and potentially be exposed to legal issues stemming from individuals making inappropriate statements on our page. She suggested that maybe the Town should wait until the new staff is hired before getting this going. The Board has a ton on their plates right now and the Town has survived this long without a Facebook page, maybe we should just wait. The employee gap right now is creating a lot of moving pieces going on. She also wanted to make note of a recent 60 Minutes special on the factory farming, which profiled salmonella and the difficulty of tracking bacteria and outbreaks on farms. She felt that it was a very good piece and wanted others to know that it is out there. It discusses things that are not regulated and the difficulty of getting a handle on an outbreak. Just an FYI for everyone.

Rebekah Gustafson, Town of Osceola, in response to the previous comment, noted that she knew the farmer that had been interviewed by 60 Minutes and that the information that farmer had provided in the interview was not accurately represented in the television special. She felt that it was filled

with fear mongering and misinformation and was very biased information. It is an example of why the Town needs to hear both sides of the story on this topic.

Bob Wright, Town of Osceola, questioned the defamation issue that had been removed from the agenda and also legal fees that may have been incurred by the Town the previous month when they met with the attorney in closed session. He felt that defamation suggests a breach of ethics by someone. He referenced comments made at the August Town Board meeting and suggested that may be where the issue is coming from. He listened to the recordings several times and quoted the comments made by one of the Board members at that meeting. Referring to a guest in July, the board member stated that "He is not a professional, I know him, I have studied him, I researched his law office and I probably know more about him than you because as soon as I left, I was on the phone. He is not an expert, he is not even close to being an expert on that farm, he is not a farmer, OK? We let someone come in here assuming and believing what he was saying and he was lying and I know this, just so you know." Wright felt this was dangerous language and then noted that the guest from July was in attendance again at the November meeting for the discussion of ethics. That individual raised his hand and asked if defamation was unethical. Wright drew the conclusion that the comments made at the August Town Board meeting are what this topic is all about. He felt that whoever was responsible for this and the expenses that the Town had incurred should be paying for those lawyer bills, not the Town residents.

Mark Skjerven, Town of Osceola, inquired regarding who was running the Facebook page. He was of the impression that it would not be a Town employee or operated by the Town. He also noted that the Town would need to have a lot of trust in the administrator of that page. Chair Schmidt noted that the Board could not respond during Public Comment, but that it could be discussed later under that agenda topic.

Bernie Desmarais, Town of Osceola, wanted to follow up on a couple comments made because he wanted to ensure that there was closure. He noted that defamation is a serious issue and if it had been removed from the agenda, then before the meeting is complete, the public should know if there were or were not legal bills associated with having an attorney present last month and if so, that amount should be disclosed. Also, if the issue had been handled in closed session last month, which resulted in removing it from the agenda again, can it stop being made an ongoing issue. He did not want to see it on an agenda again, just to be taken off at the last minute and creating more drama associated with a very serious charge. He did not want to leave the building that night without knowing what had come of the defamation issue. He went on to note that we can reference things that we see on television, but it is very important that we do not reference things that we know are emotional issues. He has just come off of several years of trying to facilitate transparency in the Village (of Osceola) and has done everything in his power to not be in a position that poor financial management leads to tax increases. He indicated that everyone in attendance was aware of what had taken place in the Village (of Osceola) and that it is very easy to mismanage finances. He explained that the reason that there are so many residents in attendance at meetings is because they are trying to help the Town and that the Town should be grateful for this. The Village (of Osceola) did not have this level of participation and now residents are up in arms, too late and they will now have to suck it up and pay their tax bill because they did not show up to meetings like this. As a group everyone should focus on the topics that are important to the community and those are financial. It is not whether salmonella can be tracked or not tracked. This is not something that we are going to fix. We should not be distracted by that.

Warren Johnson, Town of Osceola, took a moment to thank the Everson family and especially Jo for the great job she did helping through this transition period. Also, Neil for volunteering. We finally have minutes that explain what went on in a meeting if you had missed it. The last number of years, minutes were done at the last minute, were vague and you had no idea what happened at the meeting. He felt that as a community, we will be better off now because if something is said in a meeting, it is actually recorded. He was once at a meeting where the comment was made by someone, in the middle of the meeting, that he wanted them dead. There were witnesses there, but it never appeared in the minutes. There are a lot of things that you cannot read in the newspaper and get the whole story. The minutes finally show what is going on in the community. He encouraged all in attendance

to tell others to read the minutes. These minutes should also be done in a short period of time after the meeting. When someone new is hired, this should be impressed upon them as a priority that our minutes are accurate. He felt that there had always been a cover up going on in the past and that comments in the meeting were not recorded. Regarding the 60 Minutes special, every farm newspaper that was online today, stated that through the whole process, all of the interview time focused on professors and others and that there was only 2 minutes that they talked about the farmer. There was 100 minutes of recording with the farmer and only 2 minutes in the special. He stressed that nothing happens in production agriculture that is not pushed by the consumer dollar. You can come in the room and make a statement, but you may go to the store and they want something else. The consumer dollar will always dictate what happens in agriculture, it is a fact. It's all about where the consumer spends their dollar. When we talk about the size of farms and factory farming, the only thing he is aware that is made in a factory is almond milk and fake meat. There still has to be someone out in the country working. Everyone needs to take responsibility for what is happening in the food chain. It's all about where the consumer spends their dollars and how they shop. If individuals are concerned about the environment and they feel that the little red barn is better for the environment, they should observe the findings of a carbon footprint audit as he has gone through personally. They will not like the results because it is not pro-small farming. He's not saying that he wants a 5,000-cow dairy in the neighborhood, because he is aware that would not work. He just wants everyone to take responsibility. It is easy for everyone to talk bad about what is going on, but the consumer drives it all. The way hogs are raised was driven by the idea of the new lean white meat. Hogs are raised a certain way to create that lean meat. He does not personally like that, he raises his hogs the old-fashioned way, but the demand for the other way is driven by the consumer dollar.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION BY WALLIS/WHITTAKER TO APPROVE THE MINUTES OF THE DECEMBER 3, 2019 REGULAR TOWN BOARD MEETING AND THE DECEMBER 17, 2019 SPECIAL TOWN MEETING. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS:

EZ IT GUYS PROPOSALS: TIME CLOCK, WEBSITE, EMAIL DOMAIN, IT SERVICES & LAPTOP PURCHASE

Supervisor Whittaker stated that all of the supervisors should have received some emails from the Town showing examples of what the EZ IT Guys had put together, but there probably hadn't been much time to review them yet. The first topic he spoke on was regarding how prominent cyber-attacks currently are. This led into the topic of personal emails. The personal emails that the supervisors currently use are not secure. The Town Yahoo email address is not secure, and it is not backed up either. These emails can easily be hacked and anything that is deleted is not backed up on any type of server or cloud. Any domain-based email address is backed up to a server and even deleted emails can be recovered. The WTA even recommends not using personal email addresses. He stated that the Town needs to consider spending the time and money to create actual domain-based Town emails including for the supervisors. He explained how a domain-based email could be utilized for Town Supervisors and how it would transition from one supervisor to the next as new ones are elected.

Schmidt asked who his fellow supervisors were currently using for their email providers. Whittaker stated Gmail and Wallis stated Centurylink. Schmidt stated that he also had a Centurylink account, which had been using since he took office. He asked Whittaker for clarification of what he was looking to do. Did he want the Town to have professional emails?

Whittaker clarified that an example would be brandon@townofosceola.com or admin@townofosceola.com. The most important part would be the security that would come with it.

Bernie Desmarais added that this is also an issue of public record. The EZ IT Guys have just performed this same work for the Village of Osceola so it should be easily reproduced and scaled to our operation. He stated that he makes a living in this field of work and would be more than happy to provide any assistance that he can to the Town. He also suggested that the Town carry this over to

using the EZ IT Guys for the Town website because they had provided that service for the Village of Osceola as well.

Schmidt directed a question towards Steve Stroshane (resident in attendance). He asked if Polk Burnett uses an IT service to provide protection for emails and etc. Stroshane verified that they have 3 individuals working in IT for the business and also have firewalls. He went on to agree that it is not a good idea for supervisors to be using personal emails. He has received open records requests in the past and it is very difficult to sort those emails from personal ones in the same account. Whittaker verified that he uses a personal email account, but it is one that was specifically created for Town business when he was elected. Stroshane stated that was similar to what he and Bob Wright had done in the past. Schmidt added that is how his is set up as well. Stroshane pointed out that a benefit of a Town email would be that it stays with the Town. When he left office, all of his emails went with him. He still has them saved, but it would be a much better idea for the Town to have them.

Schmidt directed another question towards Steve Stroshane and Bob Wright. He wanted to know if they had both saved all of the emails they had received when they previously served as supervisors. They both had saved them, utilizing a separate drive as to not bog down their computers. Wright stated that even with the separate personal email that he had used for the Town, it still took 40 hours to separate emails out when he had received an open records request. He agreed that it would be a good idea to have all of the emails domain-based and in one place.

Schmidt looked for clarification of what type of email they would be looking to get. Wright gave an explanation of a domain-based email. Schmidt was still of the impression that his email address had been issued to him by the Town. Wallis, Whittaker and Wright all added that it was not a Town email. Gustafson clarified that if it was a Town email, it would be something like dougschmidt@townofosceola.com and it would be tied right to the Town website domain. Schmidt's current email address is tied to his personal Centurylink account. If something were to happen to Schmidt tomorrow, the Town would have no access to those emails.

Warren Johnson inquired if this would protect against deleted emails. Whittaker verified that all emails, including erased ones, would still be saved on a server or in the cloud and could be retrieved for a future open records request.

Whittaker reiterated the cyber dangers that are out there and the need to protect the Town. The EZ IT Guys provided a video of them personally hacking the Town website just to show how easily it can be done. They would provide a far more secure website and also improve the mobile version. Whittaker is looking at having one company provide all of the IT services for the Town. The EZ IT Guys represent many local municipalities and even police departments. A company has to be highly respected and trusted in order to provide services for police departments. Whittaker's suggestion is to begin with Town emails and then explore further services.

Schmidt directed a question towards Bernie Desmarais. He wanted to know what Desmarais' experience was in this area. Desmarais stated that he works for a software company. He encouraged the Board to utilize community members that understand this topic and work together to come to a solution. He was also willing to help facilitate this in order to get the most cost-effective option.

Schmidt suggested that Whittaker and Desmarais sit down together for a meeting and review the proposal from the EZ IT Guys and bring back a recommendation to the Board.

Desmarais stated that open public records will allow the Town to see exactly what the Village of Osceola spent on these services and we can use that as a gauge when pricing ours and then cater our services to best meet the needs of the Town.

Wallis asked for clarification regarding if the EZ IT Guys would also be redesigning the Town website. Whittaker verified that they would be able to do that, and they would also be able to provide the technical support that another company has currently been providing for the Town and has not al-

ways been very responsive. Desmarais added that utilizing them for a cloud-based server would also be much better than any type of in-house server.

Whittaker moved on to the topic of a time clock. He presented an option through QuickBooks called "T Sheets". It is a web-based and mobile version of time recording. He noted that the EZ IT Guys had also provided a video highlighting how it works. The best part is that it integrates with QuickBooks and goes directly to the payroll module. Whittaker verified with the Village of Dresser that they at least utilize a time clock and punch a timecard. He assumes many other local municipalities use a similar system. The Town employees still hand write their time sheets.

Schmidt noted that an advantage of hand-written time sheets was, that especially for public works employees, they can record exactly what they had been doing. Whittaker noted that they will have the same capability with this program. They will just type it in versus hand writing it. Schmidt questioned the convenience of this. Bernie Desmarais noted that anyone who can text, can effectively utilize mobile time logging. Bekah Gustafson noted that some programs like this even allow for talk to text technology.

Whittaker suggested that part-time public works employees would most likely remain on a hand-written timecard for cost savings because there is a fee for each user and those individuals have very few timecard entries.

Bernie Desmarais recommended that the Board ensure that this program is efficient for the end user because that is the important part. He also promoted the benefit for the employee of having geo-tracking capability and how the employee can use that as verification of where they have been and what they were doing.

Gustafson stated that he had personally looked into "T Sheets" at his place of business but had found that it was only compatible with the online version of QuickBooks and the Town currently uses the desktop version of QuickBooks. Whittaker stated that those were the types of questions he was hoping would come up and that he would take them back to the EZ IT Guys.

Jim Berg stated that the company that he works for has been using electronic time tracking for 10 years and not only does it allow him to enter what he was doing, but it will even break it down by account codes so that his time is charged to the correct general ledger account.

Amy Middleton inquired whether the Town was receiving multiple bids. Whittaker responded that he had chosen the EZ IT Guys based off their local presence, but he was open to other bids.

Bob Wright agreed that the Town needed to be responsible and get bids. He also felt that with the slashed budget, maybe that money would be better spent on things such as crack filling.

Schmidt inquired whether the Town would need to hire their own IT professional to manage all of this. Whittaker verified that the EZ IT Guys would be managing all of it.

Bernie Desmarais noted that a system like this will pay for itself. Wallis looked for clarification of whether the Town was paying Desmarais for services or consulting. Desmarais verified that he was volunteering his knowledge and experience.

Whittaker's final topic of discussion was regarding the Town laptop. The current laptop lacks memory and has a very small screen. He noted that with 2 new employees in the office, an additional computer would be needed. He also noted that there may be a trade-in value on the current laptop.

Bernie Desmarais noted that if the Town goes more cloud-based, a laptop would be the logical choice.

Whittaker stated that the current laptop could still work in the interim. Wallis added that it may be wise to wait in the event that the Town does not receive 2 qualified candidates for the positions and

even the potential for the positions to be combined again. The Town would not need an additional computer at that point.

TOWN FACEBOOK PAGE

Schmidt expressed that he has concerns with this. He explained that Gustafson had recently created a Facebook page for the Town. Gustafson had explained to Schmidt how the page works, what is posted on the page and what the security features are. Schmidt, with no prior knowledge or experience with Facebook, was given access to a smart phone and within moments, was able to make a comment on a Town page post, which was believed to be a secure post with no comments allowed. This concerned Schmidt because it has the potential to allow inappropriate comments to be made on the Town page and potentially expose the Town to legal issues. Schmidt asked Gustafson to further investigate this issue.

Gustafson verified that no comments can be made on the Town page itself, no one can leave a rating of the Town on the page and nothing can be shared or posted to the Town page. What he did find, was that comments can be left on a post made by the Town and there is no apparent way to disable that. For example, he had posted tax collection hours and comments could be left on that post. The administrator does get an immediate notification of any comments made and they have the capability to hide or delete comments. There is also the capability to block individuals from leaving comments if they repeatedly leave inappropriate comments. There is a profanity filter that will block comments that contain inappropriate language and specific words can even be blocked if need be.

Bernie Desmarais noted that the Village of Osceola does not have a Facebook page and that he felt that Facebook and social media is not intended for municipalities to communicate. Residents should be attending the meetings to learn what is happening in the Town. The Town should not be opening up another forum for open discussion of what is taking place in the Town. A better example would be a Citizens of the Town of Osceola page that would be administered by a resident volunteer. He is not aware of any other municipalities that are using Facebook and if the Town were to pursue this, they should be considering looking into some type of Facebook expert. Why would the Town want to open this up to expose themselves to more issues when there are already individuals concerned with defamation?

Bekah Gustafson noted that a benefit of a Facebook page is another way of informing residents of upcoming events and meetings. Many people do not read the paper anymore.

Neil Gustafson clarified that the whole intent behind creating this page was not to create an open forum, not to have discussions with the public or to post random things. It is intended as another means to get information out to the community. At the December 17, 2019 Board Meeting, he was authorized to publish the page for the sole purpose of getting more exposure for the job postings. He simply copied and pasted the job posting from the Town website and posted it on the Facebook page. He did take it one step farther and created events for every day that the Town Hall would be open for in-person tax collection and also created an event for this evenings meeting. These are the types of communication the page is intended for.

Bernie Desmarais noted that the Facebook page was just doing what the Town website should be doing. Some audience discussion followed regarding the fact that not everyone goes to the website, whereas Facebook provides notifications of upcoming events.

Mark Skjerven noted that this is where he was under the impression that this was going to be more of a community page operated by a resident to inform other residents of events taking place in the Town. He also stated that other pages he had been involved with did not allow comments to be published until the page admin approved them. Others in the audience weighed in that they felt this was accurate as well. Gustafson noted that this is where we need some expertise to look into it.

Bernie Desmarais stated that he works with a couple local Facebook experts that he could use as a reference. He also noted that if the Town has residents that are stating that they don't go to the web-

site then the Town needs to either run with Facebook or create a better website that residents will go to as a resource, but he does not feel that they should invest the time and effort into both.

Steve Stroshane weighed in that there is a generation now that relies heavily upon social media as their source of information and communication. Schmidt asked Stroshane if Polk Burnett utilizes Facebook and Stroshane confirmed that they do as a business page. Gustafson added that the Town page had been set up as a business page, but that not all of the functionality seemed to be working correctly.

Whittaker stated that he would like to see Bernie Desmarais talk to his Facebook experts and then meet up with Gustafson and the "Facebook Team", which consists of Donna Berg and Bekah Gustafson. He would like to explore this further before it just gets shut down. He also noted that the EZ IT Guys have the capability to link the Facebook page to the website. At the moment, the Town has no idea how many people visit the website because it is not set up to monitor that. Most business websites monitor how frequently they are visited. This helps a business justify what the value is of having that page. Currently many businesses are seeing a greater value from Facebook, Instagram and other social media platforms. The Town can't eliminate the website, just like they can't eliminate the newspaper. Different generations are using different sources to get their information.

Wallis found several local government entities that are using Facebook and he recognizes that it is a thing. He asked for clarification on whether comments could be made on posts or on events or both. Gustafson clarified that events come up as a post and that they can be commented on. Whittaker added that this might be able to be changed.

Bekah Gustafson noted the relevance of notifications. You don't have to go looking for the information because you receive notifications. For events, quite often individuals don't even have to be following the Town page and they will be able to see upcoming events in their area and they will see what the Town has posted.

Wallis stated that if the Town continues to pursue the use of Facebook, it is critical that there be a policy statement for the Town for the use of social media. He asked for clarification of how the current Town Facebook page is associated to Gustafson's personal page. Gustafson clarified that the Town Facebook page had to be set up by someone with an active Facebook page and that he is currently the administrator. He can add other administrators. When a new Town Clerk is hired, that individual can be added as an administrator and then Gustafson could be removed.

Wallis suggested that the current Facebook page be left active until the clerk and treasurer positions are filled because it had been decided at a previous meeting to use that as a means of advertising the positions. If the positions are filled quickly, then he suggested possibly taking the page offline until a policy statement has been created. There was discussion whether to unpublish the page or just leave it inactive. Schmidt directed Gustafson to keep an eye on it and he was to be informed immediately if there was any negative activity.

Wallis also noted that in his research he had found that if a government entity has a Facebook page, somewhere on that page it needs to clearly direct followers to that entity's website for official government business. He believes this to be a law or regulation.

Schmidt stated that he has a hard time differentiating between Facebook and the website. If residents want to know what is taking place in the Town, they should go to the website. Gustafson added that in his case, he is not always actively looking to know what is happening in the Town or doesn't remember that there is an upcoming meeting, but again this is where a notification would help reengage him.

SET DATE FOR PUBLIC WORKS SUPERVISOR PERFORMANCE EVALUATION

Schmidt asked Whittaker if he was looking to change what they have done in the past. He then clarified that what had been done in the past is that the Chair has written the performance reviews, then reviewed them with the other supervisors, at which point the other supervisors had an opportunity to

make revisions or corrections. After that, the three of them would sit down with the employees and give them their review.

Whittaker stated that he was trying to establish if performance reviews had been completed on a consistent annual basis. He had only found one on file for Paul and a previous Clerk/Treasurer. If a review is performed, there should be documentation to fall back on if an issue would arise in the future. He wants to ensure that the Town begins to or continues to adhere to a consistent process. He also noted that as it has been clearly stated that the new clerk and treasurer positions will be supervised by all three board members, reviews should also be filled out by all three board members. In the event of moving to a 5-man Board, that could be intimidating, so maybe at that point, all five members would fill out the review, but there would be a committee of two members to give the reviews. He wants to ensure that all of the board members have input on the review and that more than one member administers the review to the employee.

Whittaker asked Wallis for input on how the process has gone previously. Wallis clarified that previous reviews have been a closed session discussion between the three board members. They would discuss strengths, weaknesses, training needs or any other topics that needed to be discussed and then in recent years, the Chair would deliver the review to the employee. Schmidt reiterated that all three board members discussed the review before it was delivered.

Wallis asked Whittaker if he was looking to use a checklist or some type of ranking. Whittaker indicated that he was and pointed out that there was an example included in the packet. He felt that this should be filled out and reviewed with employees in an in-depth discussion, not just handed to them. He also reiterated that this be done by more than one member of the board.

Bernie Desmarais noted that this ties in with electronic time tracking and other technological advances that the Town has been discussing. All three board members should be involved in the review and add notes. The employees could even fill out a self-review and from this, a final document should be produced and uploaded to an employee file in the cloud. The board members are not truly supervisors, they are a governing body. They don't observe the employees everyday or do their job so each board member will have different opinions, some of which will be based upon what taxpayers have to say about the employees' job performance.

Schmidt directed a question towards Tom Magnafici. He wanted to know if Tom performs employee reviews. Magnafici responded that he does and that he uses what is called a 360-degree view. Schmidt directed the same question towards Steve Stroshane. Stroshane responded that they do and that it is not on a points system, but more of a discussion on strengths and weaknesses. The important thing is that it is delivered by more than one individual. He believes that the full board delivered the reviews when he was in office.

Jo Everson stated that for 22 years she was reviewed by a full 5-man board and she always felt that it was important in order to see all of their different views.

Wallis stated that they have always evaluated the employees together as a board. He has no issues with all three members delivering the review and he has no preference of which style of review they use as long as the employee clearly knows their strengths, weaknesses and improvements needed.

Whittaker stated that a numbering or points system provides a benchmark to quantify improvements.

Wallis stated that some of the things on the example review form are hard for the board to evaluate because they are not with the employee everyday and he will not evaluate from hearsay. He is in favor of whatever method is used but cautioned that sometimes there has to be trust that everything is being done correctly. Paul's co-workers and part-time staff have no complaints and the Town is not receiving calls from residents.

Whittaker stated that it can be very simple. Point out three things. Strengths, weaknesses and where we would like to see the employee grow. Then, follow with a conversation and discuss with the employee how they feel everything is going and how their year has been.

Schmidt stated that from experience, he has found that some supervisors are not very nice people and will come in to it not in the right mindset and give the employee a "1" or the supervisor will not have the heart to give the employee an accurate rating when the employee does need improvement. This is why he does not like a numbering system. He does like the idea of verbalizing the review and for all three board members to present it. In this scenario, if a board member is not in the right mindset during the review, they can be moderated by their peers.

Whittaker stated that it does not have to be a numbering system, he simply wants to see performance reviews given consistently, documented and filed in the employee files.

Bernie Desmarais noted that the amount of thought and effort going into how the reviews would be performed is far less important than what will be reviewed. There needs to be dimensions of the employee's performance. An example of a 360 would be a survey of everyone that interacts with Paul. Coworkers, Board members and maybe even some taxpayers. The Town should consider finding an example of a review for another Public Works Supervisor. Maybe reference the Village of Osceola to see what they use so that there is a baseline to start with. The method does not matter, the content matters.

Schmidt suggested setting a meeting date to decide what method would be used for the reviews. Whittaker volunteered to contact some other local municipalities. Wallis questioned whether it would be appropriate to be choosing the review method in a closed session meeting. Whittaker stated that the meeting would have several topics such as choosing the review style, discussing the employee evaluation and then presenting the review to the employee. Wallis questioned the legality of a closed session discussion to determine which review style to use. Bernie Desmarais noted that criteria by which employees are to be reviewed is open public record.

Wallis suggested that Whittaker contact some local municipalities as he had volunteered to do and then put together a best fit for the Town.

Jo Everson stated that the example review form that the Board had before them was created in 2003 and based directly from the employee job descriptions. She felt that this was an excellent example. Whether the numbers were used or not, the content was accurate to the job description.

The board members agreed that they could move forward with the example review referenced on page 19 in their packet. Wallis stated that if there were areas that a board member had not had direct interaction with the employee, they could always leave that blank or not applicable. Whittaker reiterated that it would be fine to leave those areas blank. All agreed to move forward with that review example.

SET DATE TO INTERVIEW CLERK & TREASURER CANDIDATES

Schmidt stated that it had been suggested that all candidates be interviewed.

Chair Schmidt momentarily left the table. Whittaker questioned if the meeting needed to be adjourned. Schmidt stated that it did not. Whittaker asked that the minutes reflect that he does not agree with what was taking place and did not believe it to be correct.

Schmidt returned to the table and asked if the Board would like to interview all the candidates. Wallis stated that with six candidates, it would not be too much to undertake. Schmidt asked for a date to perform interviews. Whittaker suggested the week of January 13, 2020. Wallis was out January 17, 2020. Schmidt stated that any time after 6:00 p.m. on Tuesday January 14, 2020 or Wednesday January 15, 2020 would work well. Schedule the candidates whenever it is convenient for them between those two nights. He would also like to see 40-minute time slots for the interviews.

Bernie Desmarais requested an explanation of what the previous sidebar was when Chair Schmidt left the table. He stated that it was an indication of something funny taking place or that Schmidt was potentially driving something, and he wanted it recorded. He is a believer in public transparency and when the Chair steps off for a sidebar conversation, that is not transparent. It is inappropriate. For transparency, Desmarais asked for a confirmation that all three Board members would be conducting the interviews. Whittaker confirmed.

Schmidt stated that he could explain what the sidebar conversation regarded; he just could not disclose who it regarded. One of the potential candidates had contacted him and he was of the impression that they were no longer interested. He was looking for clarification as to if the Town had received any further official correspondence from that individual.

Bernie Desmarais noted that there was no reason for Schmidt to explain why he did something inappropriate. It just needed to be clear that what he did was inappropriate. Schmidt stated that he does not always do things appropriately. Desmarais suggested that maybe Schmidt should not run for office then. Schmidt replied that he needed to in order to keep Desmarais in line. Desmarais stated that it was not the Chair's job to keep citizens in line and perceived that as a public threat. Schmidt stated that Desmarais was out of line.

Wallis asked for clarification on whether interviews would be in closed session and how the interviews would be performed. What questions would be asked? Whittaker responded that there had to be questions and the same questions had to be asked to every candidate. From listening to recordings from previous interviews, he implied that this had not been done in the past.

Wallis suggested that each Board member come up with four to six questions and then prior to the interviews, they would decide on the best ones.

Jo Everson suggested that the Town reference a WTA attorney regarding whether interviews are performed in closed session or not.

CELL PHONE PURCHASE

Schmidt stated that it had been previously decided by the Board that the Town would purchase a cell phone for Paul Baker, Public Works Supervisor. \$950 had been budgeted for this for 2020. Schmidt asked Baker if he was comfortable picking out his own phone. Baker replied that he was comfortable with that.

Whittaker stated that there are affordable smart phone plans available and that the Town is tax exempt. He suggested visiting the local Verizon store and asking them if they work with any other local municipalities and find out what they do for them or personally contact some other municipalities to find out how they do it. Whittaker directed Baker not to get a flip phone, make sure that it is a smart phone.

Wallis wanted to ensure that this has been left in the budget. Schmidt confirmed that it had been. Wallis also inquired if this would provide Baker with the ability to email from his phone. Whittaker confirmed that it would along with potentially electronic time tracking.

Schmidt asked Baker if he would get this taken care of. Baker confirmed that he would go to St. Croix Falls to the Verizon store. Whittaker offered for Baker to call him with any questions or concerns.

Schmidt looked for confirmation that if Baker leaves, the phone stays with the Town. Whittaker confirmed that the phone will be set up under the Town of Osceola with Verizon and that for example, even if Baker were to go on vacation, the phone should be left with the Town.

PUBLIC WORKS REPORT – PAUL BAKER, PUBLIC WORKS SUPERVISOR

There was a recent ice storm that resulted in a lot of plowing, salting and sanding. There were also a couple break downs on the plows, some cylinders and lights. 180 tons of salt sand was hauled from the county to the shop. Several calls for trees on the roads.

Went to Texas to inspect the new John Deere tractor and Alamo mower. He was very impressed with the facility and the process. Wallis inquired if Baker had operated the tractor, but it was not completed yet at that time. Whittaker stated that Alamo had inquired about taking the new tractor to a trade show in February. The quick disconnect mower head is a feature that they would like to show case. After that, the machine would be delivered to Frontier Ag & Turf, an additional warning light will be installed, and Baker will be trained on operation. An ETA on delivery would be the end of February. Schmidt looked for confirmation if Baker would be OK with waiting until the end of February for the tractor to arrive. Baker confirmed that would be OK.

The Town will be receiving a check for \$19,750.00 for trade in of the Peterbilt plow truck.

Schmidt inquired about clearing of the boat landings. Baker confirmed that all had been plowed.

PLAN COMMISSION REPORT

Chair Schmidt reported that the December Plan Commission meeting had been cancelled. In January, they will have to decide what changes to make to the comprehensive plan.

Steve Stroshane inquired if the Plan Commission had been following the check off matrix or to do list on the back of the comprehensive plan? Schmidt confirmed that they had done this. They removed road projects that had been completed and added items such as the Highway 243 bridge project and Highway 8 project.

CHAIRMAN'S REPORT

Schmidt asked Whittaker if he could look for a used set of rolling warehouse stairs for use in the shop and for access to the mezzanine. Whittaker confirmed that he could look for this.

SUPERVISOR REPORTS

Mike Wallis has been investigating the Lotus Ridge subdivision. He received an inquiry from a resident regarding why the road is listed in the Town's name, but not maintained by the Town. He is still digging into it, but it appears that the builder has never paved the road, so the Town has never taken it over. It does not appear that the Town has any responsibility in this right now. He spoke to the County and they would also require the builder to install a turn lane off of County Road F. Steve Stroshane noted that there should have been a letter of credit on file from the builder. Wallis did not find anything obvious in the Developer's Agreement.

Brandon Whittaker stated that the next Ambulance Meeting will be January 22, 2020. He noted that there will be an upcoming meeting at the Polk County Government Center on January 21, 2020 regarding CAFO's. On the topic of CAFO's, Whittaker asked Schmidt that when and if a CAFO committee is formed, that the Supervisors will all be involved in choosing committee members to ensure that it is well rounded and not biased in either direction. Schmidt stated that this would first come before the Board to determine if a committee will be formed and then if so, then the Board would decide who will Chair it and who will be on the committee. At this time, the Town will not take any action on CAFO's until the County and State have determined what they are going to do. Bernie Desmarais noted that he would like the minutes to reflect this decision that the Town is not going to let the topic of CAFO's distract them from important business and follow the lead of the State and County. Schmidt stated that it can be recorded in the minutes that the Board will not make any decision until they have heard from the County. Whittaker also stated that some residents have expressed concern regarding Schmidt's position as Chair of the Board and Chair of the Plan Commission. He asked Schmidt if he would still be willing to make a change now for 2020 and step down as Chair of the Plan Commission, allowing another member to become Chair and Schmidt would serve as a regular member and represent the Supervisors on that committee. This had been discussed previously. Schmidt responded that he did not recall this prior conversation and had really not given it

much thought. Whittaker looked to Wallis for confirmation on this prior conversation and Wallis confirmed that he had heard words to that effect. Schmidt stated that he would think about it.

CLERK/TREASURER'S REPORT

Jo Everson confirmed that per the WTA Handbook, employee interviews would be conducted in closed session. General qualifications and salary range cannot be discussed in closed session but discussing the qualifications of individual candidates does justify a closed session meeting.

Bank Accounts were: MidWestOne Bank Checking at \$31,444.79, MidWestOne Bank Money Market Account \$211,753.71, and MidWestOne Tax Deposit Account at \$1,154,094.20.

Schmidt wanted to ensure that the amount stated in the Tax Deposit Account was actually in the account and not due to the account from the County. It was confirmed that those were actual funds on hand.

Whittaker inquired about a previous topic of funding for cemeteries. He had no objection to sending funding to cemeteries within the Town but wondered if the Town has ever verified the current financial standings of these cemeteries before automatically sending more funding every year. He suggested that maybe it should be more like a grant process with a new application each year.

Wallis noted that he believes the law states that if a cemetery does not have the funding to maintain itself, they can ask the municipality for funding. He has seen past requests for funding. His further understanding of the law is that after one year of a cemetery being in disrepair, a Town can take it over, but after five years the Town has to take it over. This funding is a way of ensuring that the cemeteries will be maintained, and that the Town will not have to take them over.

Whittaker stated that he would still really like to see it handled like a grant.

Bernie Desmarais thanked the Town for the information that had been provided to him regarding the cemeteries and payments in question. He also noted that he would be more than willing to investigate what the law or statute is regarding this.

Jo Everson noted that she has added this topic to the list of procedures for the new Clerk. To send a letter to the cemeteries stating that the Town will require a formal annual request for funding.

Bernie Desmarais noted that it should not just be automatic. Wallis noted that Chapter 157 of the State Statute addressed this topic for Desmarais to reference. Desmarais stated that he would leave this to the new Clerk. Wallis questioned Desmarais previous offer to investigate the law or statute.

REQUEST FOR FUTURE MEETING AGENDA ITEMS

Schmidt stated that they would need to have an upcoming closed session meeting. This could be a long meeting due to the fact that they will need to meet with the Town lawyer again and then discuss the employee evaluation. The Town lawyer is willing to meet via teleconference. Schmidt asked if 5:00 p.m. would work either day prior to the interviews. It was agreed upon that would work.

Whittaker made the statement that it is no secret that the Town is facing possible litigation. The Town is not hiding anything, but at this time it pertains to confidential information that can't be released. Bernie Desmarais asked again that this not be on any future agendas until the issue has been resolved. Schmidt stated that it had been placed on the agenda and then removed on the advice of our attorneys the past two months due to circumstances behind the scenes that the Town could not control and can't be discussed in public. He also confirmed that as soon as it has been resolved, it will be made an agenda item again and discussed in open session. Desmarais requested that the minutes reflect this explanation.

Doug suggested Facebook and EZ IT Guys Proposals for February agenda items.

Whittaker stated that he will not be present at the February meeting so he will not be able present on the topics of Facebook and IT proposals. Schmidt suggested postponing the February meeting by one week.

Jo Everson inquired whether the Board would go into open session following the interviews to potentially make a decision on extending an offer to the candidate/s. Wallis suggested following the last closed session interview. Everson noted that candidates can be referred to as a number or letter as to not reveal their identity. Salary discussions and offers of employment have to be discussed in open session. The Board agreed to do this.

Lisa Melin asked Wallis for any further information on Eagle Bluff or Lotus Ridge to be included as an agenda topic for February. Schmidt also requested that Wallis contact the Melins prior to February if he learns any more. Wallis agreed.

Wallis noted that postponing the February meeting by one week will not work with his schedule. Whittaker offered to call in for the February 4, 2020 meeting. Schmidt noted to add it to the February meeting agenda to make a motion at the beginning of the meeting allowing Whittaker to vote by phone.

ADJOURNMENT

MOTION BY WHITTAKER/WALLIS TO ADJOURN THE MEETING OF THE TOWN OF OSCEOLA HELD THIS JANUARY 7, 2020. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Board, the Meeting was adjourned at 8:53 p.m.

Neil Gustafson, Interim Clerk/Treasurer

TO BE APPROVED: 02/04/2020