

TOWN OF OSCEOLA
BOARD OF SUPERVISORS MEETING
Monday, June 07, 2021 – 6:30 p.m.

Meeting Minutes

The Board of Supervisors of the Town of Osceola met for a regular monthly meeting Monday, June 7, 2021, at 6:30 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

CALL TO ORDER: Chair Dale Lindh called the meeting to order at 6:31 p.m.

VERIFICATION OF MEETING POSTING: Interim Clerk Jan Carlson confirmed that the notice was posted at the Town Hall, Dresser Post Office, the First Community National Bank, the Town Web Site, and the Town Facebook page.

PLEDGE: Lindh led the Pledge of Allegiance to the United States Flag.

PRESENT: Chair Dale Lindh, Supervisors Jo Everson, Neil Gustafson, and Mike Wallis. Once sworn in, Jon Cronick was present as Supervisor. Also present Public Works Supervisor Tony Johnson and Town Interim Clerk/Treasurer Jan Carlson.

PUBLIC ATTENDEES: Jim & Donna Berg, Denise & Mark Skjerven, Melissa Ward, Jon Cronick, Lisa Melin, Trish & Kirk Carlson, Shay Rysdam, Merle & Dianne Aarthur, Jim Brundage, Marianna Schultz, Rebekah Gustafson, Warren Johnson, May Brebach, Teri Wallis, Glyn & Cindy Thorman, Jeanette Rochford, Gae Magnafici, Diana Anderson, Tom Stangl, James, Rochford, Brock Geyen, Sarah Kobs, Ryan Lee, Teresa & Jeremy Utke, Amanda Janeski, Amy Middleton, Ed Everson, Bernie Desmarais, Brad Hoverman, Chris Shermach, and Josie Carlson.

PRESENTATION AND APPROVAL OF BILLS: Chairman Lindh and Supervisor Everson reviewed, approved, and signed all bills provided by Treasurer Jan Carlson, as part of the Finance Committee.

MOVED BY EVERSON / GUSTAFSON TO APPROVE THE TREASURER'S REPORT AND BILLS AS PRESENTED, ACH AND CHECK NUMBERS 17531 -17574 TALLING \$91,324.11. MOTION CARRIED UNANIMOUSLY.

AGENDA: MOTION BY GUSTAFSON/WALLIS TO AMEND THE AGENDA TO MOVE ITEM 10 A BEFORE THE PUBLIC COMMENTS, AND TO APPROVE AS AMENDED THE JUNE 7, 2021 AGENDA. MOTION CARRIED UNANIMOUSLY.

MEETING MINUTES: MOTION BY WALLIS / EVERSON TO APPROVE WITH MINOR CORRECTION DUE TO TYPOS THE FOLLOWING MEETING MINUTES: 04/29/21 TOWN BOARD MEETING, 5/4/2021 TOWN MEETING, 5/6/2021 SPECIAL TOWN MEETING, 5/10/2021 SPECIAL TOWN MEETING AND 5/27/2021 SPECIAL TOWN MEETING. MOTION CARRIED.

PRESENTATION OF 2020 AUDIT REPORT BY CLIFTON LARSON ALLEN (CLA)

Clifton Larson Allen was represented by Brock Geyen and Sarah Kobs. They reported that the Town's fund balance as of December 2020 was \$182,376. Total Revenues for 2020 were \$915,409 and Expenditures were \$937,247. The Town Fund balance is at 19% and a recommendation to be 24-33%. It was also brought to the Board's attention material weaknesses in the management letter. The three weaknesses mentioned are: Limited Segregation of Duties, Internal Control over the Financial Reporting

Process and Material Audit Adjustments. These are weaknesses similar to other smaller government entities who have limited staff.

MOTION BY EVERSON/ SECOND BY GUSTAFSON TO ACCEPT THE TOWN OF OSCEOLA'S 2020 AUDIT REPORT AS PRESENTED BY CLIFTON LARSON ALLEN. MOTION CARRIED.

PUBLIC COMMENT:

Chairman Lindh called for a half hour of public comments. Three (3) minutes were allotted for each speaker.

Cindy Thorman - expressed concerns of last-minute candidate(s) being submitted [nominated] for Town supervisor, recommending the Board use the process established whereby a resume was to be submitted by the due date specified.

Warren Johnson - commented on Eagle Bluff Road, nuisance properties, County zoning in regard to the Red Barn, getting the Plan Commission up and running and wished the five member board the best.

Denise Skjerven - commented on several agenda items: 13g she wanted an explanation of what is the Board of Review and asked if the 7/20 BOR meeting is open to the public. 13j she questioned the potential legal cost to the town, and how much would be covered by insurance. She had several questions regarding committees: taking nomination for committee positions, board setting parameters, would the chair sit on committees, would committee meetings be posted and open to the public, would there be a point person on each committee so Town constituents can ask questions to the committee, was the Media Committee going to encompass Technology, and legal questions, and would Town ordinances be updated. Then asked if the board packet can be posted or available before the Town meeting.

PUBLIC WORKS REPORT:

Tony Johnson, Public Works Supervisor spoke to the current road projects he had been working on. The Town has collected 33 tires and various pieces of furniture in the last couple of months, and removed 8 trees from Sand Lake property line next to the cemetery. He provided road counts and was working on the boat landing at Popular Lake and reported that the road construction projects are in progress.

TREASURER'S REPORT

Treasurer Carlson reviewed reports which were included in the Board packet. She noted that as of this date all items are current and reflect accurate balances. Cash balances as of June 6, 2021, are: General Fund \$37,456.83; Money Market Account \$297,458.50; Tax Account \$284,394.29; Dresser Traprock \$15,042.52.

CLERK'S REPORT

Carlson reported worked on Liquor License that are being renewed tonight, public record request and looking at a retention schedule to bring forward and working on cleaning up the storage area.

OLD BUSINESS

LRIP GRANT Oak Drive

The Local Road Improvement Program (LRIP) through the State of Wisconsin Department of Transportation, State Municipal Project funding. The proposed project would be to improve 4,011'x22'

of blacktop on Oak Drive and shoulder the new asphalt to a width of 2'. The Town is to purchase the material for the shouldering directly from Dresser Trap Rock. Everson questioned if trucking would be an additional cost for this traprock. Public Works Supervisor Johnson was not sure, but did not believe there was an additional cost for same type projects in the past. Once the project is completed, the Town will submit invoices to Polk County for reimbursement from the grant funds.

MOTION BY WALLIS /EVERSON TO AWARD THE BID FROM MONARCH PAVING COMPANY FOR THE LRIP ROAD GRANT PROJECT IN THE AMOUNT OF \$109,949.68, TO PULVERIZE AND KNOCKDOWN EXISTING ASPHALT OF 4,011 FEET ON OAK DRIVE, FINE GRADE EXISTING BASE COURSE AND COMPACT, THEN PAVE WITH HOT MIX ASPHALT TO AN AVERAGE COMPACTED DEPTH OF 2.5", AND TRAPROCK SHOULDERING TO A WIDTH OF 2'. MOTION CARRIED.

REVIEW OF NUISANCE PROPERTIES

The Board reviewed a list of potential nuisance properties as defined in Chapter 10, Public Nuisances of the Town of Osceola Code of Ordinances. The list was provided at the recent Annual Meeting, and was added to by complaints received since that time. Chair provided photos of each of the properties.

2129 RAVINE DRIVE: MOTION BY LINDH /GUSTAFSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES. MOTION CARRIED.

840 HORSE LAKE LANE: MOTION BY WALLIS /EVERSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES. MOTION CARRIED.

742 195TH STREET: MOTION BY EVERSON / GUSTAFSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA TO POLK COUNTY ZONING REQUESTING THEY ENFORCE A REPEATED PUBLIC NUISANCE VIOLATION. MOTION CARRIED.

727 200TH STREET: MOTION BY GUSTAFSON /EVERSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES. MOTION FAILED GUSTAFSON/EVERSON AYE: LINDH/WALLIS NO.

2054 COUNTY ROAD M: MOTION BY WALLIS /GUSTAFSON TO GUSTAFSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA TO POLK COUNTY ZONING REQUESTING THEY ENFORCE A PUBLIC NUISANCE VIOLATION. MOTION CARRIED.

2080 COUNTY ROAD M: MOTION BY GUSTAFSON / EVERSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES. MOTION CARRIED.

883 COUNTY MM: MOTION BY EVERSON / GUSTAFSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES.

2139 90TH AVENUE IS CURRENTLY BEING REVIEWED BY POLK COUNTY.

1954 110TH AVENUE: MOTION BY EVERSON/GUSTAFSON TO SEND A LETTER FROM THE TOWN OF OSCEOLA INDICATING A PUBLIC NUISANCE VIOLATION OF CHAPTER 10, PUBLIC NUISANCES OF THE TOWN OF OSCEOLA ORDINANCES. MOTION CARRIED.

2039 85TH AVENUE IS CURRENTLY BEING REVIEWED BY POLK COUNTY.

REVIEW CODE OF ORDINANCES CHAPTER 2.13 ESTABLISHMENT OF PLANNING COMMISSION

The proposed Planning Commission Ordinance was reviewed with several amendments suggested.

MOTION BY WALLIS / EVERSON TO ADOPT THE AMENDED PLAN COMMISSION ORDINANCE, PURSUANT TO SECTION 62.23(1) OF WISCONSIN STATUTES. MOTION CARRIED

As an attachment of the Plan Commission Ordinance, a job description for the Plan Commission member was reviewed. An application for said member was also reviewed which will be submitted to the Town Chair per Wisconsin Statute, and subsequently reviewed and approved by the Town Board.

MOTION BY WALLIS / GUSTAFSON TO APPROVE THE AMENDED JOB DESCRIPTION FOR PLAN COMMISSION MEMBER, AND OFFER IT TO THE PUBLIC IMMEDIATELY. MOTION CARRIED.

MOTION BY WALLIS / GUSTAFSON TO APPROVE THE AMENDED APPLICATION FOR APPOINTMENT TO THE TOWN PLAN COMMISSION. MOTION CARRIED. An ad is to be placed in the Osceola Sun, Town Web Site and Town Facebook Page seeking applicants for the Plan Commission, with hopes that the Board can review them at the July 6th Board meeting.

EAGLE BLUFF ROAD

Eagle Bluff Road is part of Lotus Ridge Estates in the Town of Osceola, approved by the Board in May 2006. On the final plat, the roads in the development that were dedicated to the Town were to be held in public trust by the Town until the conditions that were laid out in the subdivision approval were met. Only then would the Town assume maintenance of the road. In 2007 another developer purchased the subdivision. To date the improvements of the road have not yet been made. The property owners on Eagle Bluff Road have approached the previous Board on several occasions over the past year requesting the Town's help in making the improvements so that the Town would begin maintaining the road, which is in need of repairs.

Supervisor Everson and Gustafson stated that it would set a dangerous precedence for the Town to pay for the improvements of Eagle Bluff Road when the Town does not own the road, nor is it constructed to Town road specifications. Other requests from property owners who live on private roads could ask for the same consideration, costing the Town a considerable amount of money it could not afford. Several months ago the Town Interim Clerk had sent a certified letter to the developer pleading the case of the property owners with hopes that a resolution could be made; however, the developer did not acknowledge the letter. There is little else the Town can do to help the property owners at this point. Wallis stated that he would rather see no action taken by the Board than to take action indicating a negative Board response.

MOTION BY EVERSON / GUSTAFSON THAT UNTIL, OR IF, NEW INFORMATION IS SUBMITTED TO THE TOWN BY THE PROPERTY OWNERS ON EAGLE BLUFF ROAD/LOTUS RIDGE ESTATES, THAT THE TOWN BOARD OF SUPERVISORS DOES NOT ENTERTAIN ANY FURTHER DISCUSSION ON THE EAGLE BLUFF

ROAD. ROLL CALL VOTES AYE: EVERSON, GUSTAFSON. NAY WALLIS; LINDH: ABSTAIN. MOTION CARRIED.

NEW BUSINESS

APPOINTMENT OF TOWN SUPERVISOR

Due to the recent resignation of the Town Chair Brandon Whittaker, Supervisor Dale Lindh was appointed to then vacated Chair seat, leaving the seat of Supervisor to be filled. The Board had determined at the last meeting to request interested constituents to submit a resume or letter of interest to be considered at this meeting. Three such letters were submitted.

MOTION BY WALLIS / LINDH TO APPOINT RYAN LEE AS TOWN BOARD SUPERVISOR FOR A TERM TO EXPIRE APRIL 2022. ROLL CALL VOTES: AYE: LINDH, WALLIS. NAY EVERSON, GUSTAFSON, CLERK CARLSON. MOTION FAILED.

MOTION BY EVERSON / CARLSON TO APPOINT JON CRONICK AS TOWN BOARD SUPERVISOR FOR A TERM TO EXPIRE APRIL 2022. ROLL CALL VOTES: AYE: CARLSON, EVERSON, LINDH, NAY: WALLIS GUSTAFSON, ABSTAINED MOTION CARRIED.

Jon Cronick was sworn in by the Chair as Board Supervisor.

BASIC CYBER SECURITY ASSESSMENT

At the previous Meeting, the Board expressed their commitment to improve security measures with regard to its ITT services. Easy IT Guys, the Town's current IT support company, presented their proposal for basic cyber security assessment. However, the Board agreed that the Town should seek other proposals from similar companies.

MOTION BY GUSTAFSON / WALLIS TO SEEK RFP FROM ITT COMPANIES TO PROVIDE CYBER SECURITY ASSESSMENTS, TO BE REVIEWED AT THE JULY 6, 2021 BOARD MEETING. MOTION CARRIED.

CLERK'S COMPUTER

MOTION BY GUSTAFSON /EVERSON TO PURCHASE A NEW COMPUTER FROM EASYIT GUYS FOR \$1,458.99, AS DESCRIBED IN THE ESTIMATE NUMBER 13022 AND DATED 5/13/21. MOTION CARRIED.

BUSINESS CLASS EMAILS

The Board discussed the pro's and con's of establishing business class emails for the Board, rather than have personal email accounts (currently using Gmail). Wisconsin States require Board Members to retain all Town-related documents for 10 years, regardless if they are currently on the Board or not. This has been a challenge in the past with private e-mail accounts. Easy IT Guys submitted a proposal for business e-mail accounts for the Board, staff, and Plan Commission, at a cost that would be reoccurring each year. The Board agreed that other proposals should be sought before making a decision.

MOTION BY GUSTAFSON / WALLIS TO SEEK PROPOSALS FROM OTHER ITT COMPANIES TO PROVIDE BUSINESS CLASS EMAILS FOR TOWN ACCOUNTS, TO BE DISCUSSED AT THE JULY 6, 2021, BOARD OF SUPERVISORS MEETING. MOTION CARRIED.

TOWN COMPUTER SERVICE ROUTER AND SWITCH

The router and switch that provides internet service to Town computers needs immediate replacement and/or repairs. East IT Guys provided an estimate to do a basic network rebuild which replaces the current hardware with business-grade hardware, and includes subscription costs of \$8/034 month.

MOTION BY EVERSON / GUSTAFSON TO APPROVE THE PURCHASE FROM EASYIT GUYS OF ESTIMATE #13036, OF A BASIC NETWORK REBUILD FOR A TOTAL COST OF \$827.72 (LESS THE ADDITIONAL \$8.00 MONTHLY SUBSCRIPTION COSTS). MOTION CARRIED.

2021 – 2022 LIQUOR, TOBACCO AND OPERATION LICENSE RENEWALS

MOTION BY EVERSON /GUSTAFSON TO APPROVE THE FOLLOWING 2021-2022 LIQUOR LICENSES, WHICH EXPIRE JUNE 30, 2022:

CLASS "B" BEER LICENSES:

**OSCEOLA ROD & GUN CLUB, Phillip D. Points, Agent
SKOLLHAUGEN, James Rochford, agent**

CLASS "A" BEER & LIQUOR LICENSES

**BROTHERS COUNTRY MARKET, JON BLASER, AGENT
DOLLAR GENERAL STORE, RON BORGERDING, AGENT**

CLASS "B" BEER & LIQUOR LICENSES

**WOODHILL BAR & GRILL, SHAWN LIBERKY, AGENT
FIESTA LOCA, GERMAN DURAN, AGENT
KROOKED KREEK GOLF COURSE PATRICK HAYES, AGENT**

MOTION CARRIED.

MOTION BY WALLIS / GUSTAFSON TO APPROVE THE FOLLOWING TOBACCO LICENSES, WHICH EXPIRE JUNE 30, 2022: BROTHERS COUNTRY MART, DOLLAR GENERAL, KROOKED KREEK GOLF COURSE, WOODHILL BAR & GRILL. MOTION CARRIED.

MOTION BY EVERSON / WALLIS TO APPROVE THE FOLLOWING OPERATORS' LICENSES WHICH EXPIRE JUNE 30, 2022:

**SHAWN LIBERSKY, WOODHILL
TRACI JEAN LIBERSKY, WOODHILL
TAYN LEIGH MADSEN, WOODHILL
NICOLE DIANNE JOHANSEN, WOODHILL
TERESA MARIE HALSTROM, WOODHILL
KAYLA LYNELLE CROSS, WOODHILL
SHAWNA DEE FEHLER, WOODHILL
PETER L FEHLEN, WOODHILL
PAIGE CELIA LIBERKY, WOODHILL
CHRISTA MARIE NELSON, WOODHILL
JANELL LEIGH TORGERSON, WOODHILL
BRIANA LEE WEBSTER, WOODHILL
JAMES ROCHFORD, SKOLLHAUGEN
CHELSEA KRUSE, SKOLLHAUGEN**

**PHILLIP DAVID POINTS, ROD & GUN CLUB
TAMMY MARIE COLOMBO, DOLLAR GENERAL
CHERYL LYNN SCHULTZ, DOLLAR GENERAL
CRYSTAL LYNN NICKEL, DOLLAR GENERAL
PATRICK HAYES, KROOK KREEK
DONNA MAE HAYES, KROOKED KREEK
DANIEL ROBERT TORGERSON, KROOKED KREEK
BROOK R. JOHNSON, KROOKED KREEK
MARGARET GRACE JANSEN, KROOKED KREEK
LOGAN GREGORY SCHROCK, KROOKED KREEK
DOUGLAS MATHEW WRIGHT, KROOKED KREEK
MADISON OLIVIA LINK, KROOKED KREEK
LILY ANN DILLMAN, KROOKED KREEK
AMELIA R DANNENMUELLER, KROOKED KREEK
DENISE CHARLENE TOMLINSON, KROOKED KREEK**

**KAIA ELIZABETH LEVERENTZ, KROOKED KREEK
JILL DURAN, FIESTA LOCA
ISAAC DURAN, FIESTA LOCA
BAILLIE DURAN, FIESTA LOCA
BRIANA DURAN, FIESTA LOCA
YOLANDA LOPEZ, FIESTA LOCA
MOTION CARRIED.**

**ALICIA JAY PAULSON, BROTHERS
KLARA G FANSLER, BROTHERS
BRENDA L'ALLIER GRUEL, BROTHERS
MARRY ELLEN BLASER, BROTHERS
JULIE MARIE MICKELSON, BROTHERS**

ALTERNATE MEMBER TO THE BOARD OF REVIEW

MOTION BY GUSTAFSON/EVERSON TO APPOINT DENISE SKJERVEN AS AN ALTERNATE MEMBER TO THE TOWN OF OSCEOLA BOARD OF REVIEW (TO BE HELD JULY 20, 2021). MOTION CARRIED.

RATIFY PUBLICATION OF ADVERTISEMENT FOR THE CLERK POSITION

MOTION BY EVERSON /GUSTAFSON TO APPROVE THE PUBLICATION (RETRO-ACTIVE) IN THE SUN, TRI COUNTY NORTH FOR THE CLERK POSITION HELP WANTED AD. MOTION CARRIED.

DATE TO REVIEW CLERK APPLICATION

MOTION BY WALLIS / SECOND BY GUSTAFSON TO REVIEW CLERK APPLICATION ON JUNE 10, 2021, AT 7 A.M. MOTION CARRIED.

SPECIAL MEETING REGARDING LAWSUIT AGAINST THE TOWN

No action taken.

APPOINT MEDIA COMMITTEE

At previous meetings, the Board discussed appointments to various committees. With the new complete Board now in place (Jon Cronick as Supervisor and Dale Lindh as Chair) the Board agreed that these appointments should be confirmed. At this time there will not be any citizens on the Committees other than Board Members. Each Committee is tasked to define the duties of their respective committee prior to the next Board Meeting on July 5, 2021.

Supervisor Neil Gustafson was appointed previously to the Town Board Media Committee. Gustafson recommended that the name of the Committee should be changed to reflect a more accurate description of its overall duties. It was given the task of researching the new Broadband Expansion grant using American Rescue Plan Act (ARPA funding) the deadline for submission is July 27th. Other members, if willing to volunteer their time, are Teresa Utke, Jim Berg and Jon Cronick.

MOTION BY GUSTAFSON/WALLIS TO CHANGE THE NAME OF THE TOWN BOARD MEDIA COMMITTEE TO THE TOWN BOARD MEDIA/COMMUNICATION/TECHNOLOGY COMMITTEE. MOTION CARRIED.

APPOINT PERSONNEL COMMITTEE

No action taken at this time. Previous appointment of Jo Everson will continue until the July Board Meeting.

APPOINT FINANCE COMMITTEE

MOTION BY GUSTAFSON/EVERSON TO APPOINT SUPERVISORS EVERSON AND CRONICK TO THE TOWN BOARD FINANCE COMMITTEE. MOTION CARRIED.

APPOINT PUBLIC WORKS COMMITTEE

No action taken at this time. Previous appointment of Neil Gustafson and Mike Wallis will continue until the July Board Meeting.

SET DATE FOR JULY BOARD MEETING

MOTION BY WALLIS/GUSTAFSON TO MOVE THE MONTHLY JULY BOARD MEETING TO TUESDAY, JULY 6TH AT 6:30 P.M. SINCE MONDAY JULY 5TH IS THE CELEBRATED INDEPENDENCE DAY HOLIDAY. MOTION CARRIED.

CHAIRMAN'S REPORT

None.

SUPERVISOR'S REPORTS

Jo Everson updated the Board that the deadline for the ARRP \$288,500 grant is June 18th. The Board will need to determine where/how to spend that monies once the Feds have released that information. She also questioned what the Town has in its Ordinance to regulate outdoor music. One of the liquor establishments is sponsoring outdoor music concerts this summer, a large one in particular the second weekend in September that will draw many people to the site. She expressed concern with parking on Highway 35, traffic congestion in general, and the noise level of the concerts. She will do research and provide an update to the Board in July.

Neil Gustafson reported on a road issue that was resolved without further intervention.

Mike Wallis reported that the Audio System was recently hardwired to eliminate the need for batteries.

REQUEST FOR FUTURE MEETING AGENDA ITEMS

- Budget Amendments for Audio/Camera expenses
- Outdoor Music Permits
- Operator Licenses
- Internet Services & Business E-mails
- Alternate Check Signer
- Record Retention Schedule
- Define Committee Duties

ADJOURN

MOTION BY WALLIS /GUSTAFSON TO ADJOURN TOWN OF OSCEOLA BOARD OF SUPERVISOR'S MEETING AT 10:04 P.M.

Jan Carlson, Interim Clerk

Approved: 07/06/2021