



Town of Lincoln: Board of Supervisors Regular Meeting Minutes, Monday, July 1, 2019

- I. The regular meeting was called to order at 7:01 p.m. by Town Chairman, Cory Cochart.
- II. Pledge of Allegiance recited. Board Supervisors present: Jordan Nowak and Jesse Jerabek. Others present: Tim Strnad, Town Treasurer, Joe Jerabek, Town Assessor, Steve and Vicki Alberts, Jodi Parins, Lynda Cochart, Dick Bultman, Jenny Nowak, Andy Nowak, Julaine Nowak, Carol Wautlet, Mick Sagrillo, Suzy Vania, Jim Deprey, Jane Deprey, Paul Wallace, and Brian Paplham of Scott Construction.
- III. July 1, 2019, Agenda: Motion made to approve agenda as submitted with addition of Sign Ordinance to Business/Actions (Jerabek / Nowak). Motion carried.
- IV. Motion made to approve June 3, 2019 meeting minutes as submitted (Jerabek / Nowak). Motion carried.
- V. **Treasurer's Report:** Strnad gave report on Town of Lincoln Income, Checking, CD, and Savings accounts. No dog licenses outstanding. Supervisor Nowak asked if past years' financials were ready to be discussed (see Public Comment). Motion made to approve Treasurer's Report (Nowak /Jerabek). Motion carried.
- VI. **Clerk's Report:** Town Clerk reported on work completed /correspondence received during previous month to include: Issuance of liquor licenses, work on poll list for future elections (no more to be held in 2019), and attended 3 PC meetings/hearings. Correspondence: WTA July magazine & membership cards and notice of Managed Forest Land revenue.
- VII. **County Supervisor's Report:** Cory Cochart gave a review of County Board meetings to include information on: County retirements, annual reports from Public Safety Facility Study, Public Health, Cty Administrator, and Library Services; Resolutions: for financial assistance for trail maintenance/shelter at Riverview ATV Park and amendments to Rules of Order and Committee Duties. Promotion & Rec: Ahnapee Trail re-decking project at Reckleberg Park and more kayak access points to be implemented. Bremer Park Zoo project and Dana Farm project financing approved. Winter Park Disc Golf up and running. Highway Dept.: crushing and screening project on hold due to weather, shoulder reclamation taking place in County, ditch cutting started, hot mix plant upgrades made, lines cleaned/televised at Landfill, permit applied for closing of landfill, Cty Rd E and Cty S bridge will be worked on this season, Hwy Dept. financial review completed, and possibility of new Hwy Dept. shop is being researched.
- VIII. **Planning Commission Report:** Sagrillo presented PC updates; reviewed work for Livestock Siting application and digester/gas facility project and Conditional Use Permits for Kinnard Farms/Kewaunee Renewable Energy. 7 PC meetings were held in 32 days with 60 hours of personal time at no charge by Sagrillo in last 3 weeks, and a debrief on project meetings was proposed by Sagrillo with BoS / PC. As part of CUP, upon Commercial Operation of the Renewable Natural Gas Processing Facility, Kewaunee Renewable Energy agrees to make an annual payment of \$2,500 to the Town of Lincoln for the purpose of upgrading the first responders' capability through equipment upgrades, etc. KRE will also provide training for Town of Lincoln first responders on KRE's RNG Processing Facility. Determination of recipient of annual \$2500 payment to be made by ToL Board of Supervisors. KRE has also agreed to pay for one additional PC meeting and attorney consultation fees up to \$1000. Estimated cost of project \$17,065,000 with \$21,318.75 permit charge paid to ToL. Sagrillo to file yet with DTCAP. Revised Fee Schedule submitted to BoS for review. Discussion followed on charges for additional PC meeting and fast track fee. WTA may be asked for guidance on fast track fees. Supervisor Jerabek agrees with Sagrillo on maximum of 2 PC meetings per month. Chairman Cochart noted the need for a time limit per PC meeting, ending at 9:00pm. PC tasks: 4 resolutions needing to be turned into ordinances, cemetery ordinance, groundwater protection plan, and assuming permit for drip irrigation will be applied for by Kinnards. Motion made to have Supervisor Nowak replace Supervisor Jerabek on the PC (Cochart/Nowak). Motion carried. Sagrillo would like Jerabek to be back on PC for groundwater protection ordinance.
 - a. Motion made to approve Resolution to Adopt Revised Fee Schedule excluding cemetery plots (Jerabek/Nowak). Motion carried.
 - b. Impact Fee State statute requirements were reviewed by Sagrillo. WTA may be asked for guidance on an Impact Fee Ordinance.
- IX. **Zoning:** None
- X. **Brian Paplham of Scott Construction** was present for questions/contract re: options on repair of ToL roads. Motion made to approve contract with Scott Construction: single hot oil chip seal coat on 5075ft on Spruce Rd. from Cardinal to Cty X for \$21,658 (Cochart/Jerabek). Motion carried.
- XI. **Business/ Actions:**
 - a. **Garbage Collection:** Going Garbage distributed containers week of 6.3.19. Jerabek disappointed that long driveways service not included as represented at meeting in April especially for elderly. Chairman to check with Going Garbage on this issue.
 - b. **Speed Limit Posting- Maple Road:** Update next month; no posting yet.
 - c. **Borchardt Study Findings:** Dr. Richard Borchardt has been scheduled to present findings on 7.17.19.
 - d. **Untidy Yards Update:** Update next month.
 - e. **Whole House Water Treatment Study:** Law suit has been filed against Stonehouse by Town attorney; all allegations have been denied by Stonehouse. Notice of June 11, 2019 hearing in Oconto Cty Circuit Court received, date is in conflict with Town Attorney's schedule; witness list updated by Chairman Cochart. Update next month. Paul Wallace asked who the people in study were besides Mick Sagrillo and Lynda Cochart, stated should be public knowledge and participants should have been picked randomly. Chairman stated participants still have right to be anonymous and Davina Boness sent letters to each owner of 25 ToL wells being tested, resident was to get back to Boness if were interested in participating. Mick Sagrillo stated he was one of test study and after 1-1/2 years of sampling was never given permission to drink the water, reported lowered water pressure, and costs of \$450 out of pocket; he knew this would be experimental but at some point expected to get information on test results and the ability to drink water after 1-1/2 years. No participants got any results; 5th home system never was up and running.
 - f. **Cedar Road Repair:** Chairman will work with Elna Farms on repairs; update next month.
 - g. **Ditch Cutting:** Cutting has been started and possibly finished.

h. New Town Hall: So far 10 bidders are interested. Sealed bids to be opened on July 17th, ToL has 30days from bid opening to decide on choice of contractor. Options on financing the new town hall will be based on bids opened at July 17th meeting and decision on contractor will be discussed at August meeting; in addition, no action to be taken on town hall until question on town financials are reviewed. Supervisor Jerabek has Sept. 3rd date set up for State to review plans, but have an option to pay \$75 to start early on site prep. Physical address at new town hall = N8016 Maple Road. Strnad stated per WTA donations of money or materials for new town hall are tax deductible, but not time volunteered. Any questions, please refer to IRS Publication 526.

i. Discussion re: irrigation of wastewater collected from feed pads: Update next month. Lee Kinnard requested open discussion and reopening this topic with PC. Currently required to collect 100% of rain water off of feed pads and is working with DTCAP and Door & Kew counties. Reports process is good environmentally, prevents runoff into waterways, and is able to be used to irrigate on crops due to diluted nutrient levels. Chairman would like to know who would draft plan, testing/monitoring of irrigation, and what part of savings of investment would go towards repair of town roads.

j. Sign Ordinance: Supervisor Nowak addressed request to add Sign Ordinance to agenda, states Church Picnic/Bike Ride signs are in right of way = same area as some of his April election signs. Temporary signs (ex: community/civic or construction) have no restrictions per ordinance, but political (election) signs do have right of way restrictions. Supervisor Jerabek reviewed ordinance section 9, according to this section Political Signs are not under the category of Temporary Signs. Nowak disagrees, feels that Political Signs are Temporary Signs.

XII. Public Comment: (Andy Nowak) feels Jordan Nowak treated unfairly re: call to move signs and asked why Town Zoning Administrator, Joe Jerabek, was made to follow up on complaints. Sagrillo answered question of who should take care of sign issues, per Zoning Ordinance, Joe Jerabek is given this responsibility. (Jesse Jerabek) Stated was disappointed that Nowak's signs were not moved promptly and fines could have been imposed per ordinance, but Board at that time decided to let the issue go. (Lynda Cochart) stated in all the years of meeting attendance, how disrespectful things have gotten and how we need to work together. (Wautlet) Kinnard project costs were not same as first disclosed; ToL is not running charity, we need to have ways to check bids going forward. (Jordan Nowak) Commented on being called out publicly at April meeting while giving no response back. (*This was in reference to the 4.1.19 BoS rebuttal of incorrect statements published on Nowak's election postcard materials.*) (Parins) Disappointed in Andy Nowak comment re: what PC does and all should be aware of difference in how public may speak to public vs. an elected official re: slander. Stated in last 4 years, meetings may have gotten heated, but since this April, Board meetings have become repugnant and elected seats should be used to benefit ToL rather than for personal benefit.

Town Financials: Recap: At June 3, 2019 Board meeting, Supervisor Nowak had questions on past years' Annual Meeting financial report numbers going back to 2012. By taking Clerk's Annual Report for actual expenses, subtracting from actual revenue, and applying to yearend balance, Nowak feels Treasurer Year End Report balance should be the same when compared to Clerk's report. Treasurer Tim Strnad commented on ToL Financials: Per his CPA's confirmation, two reports will not show same numbers since they are based on different accounting systems. Per WTA and State statutes, annual reports must contain only revenue, expenses, and indebtedness. The Town Board is ultimately responsible to decide on what gets reported on annual report. WTA commented audits can be done at any time, but since the two offices are held by two separate people, audits in this situation are not common. Treasurer's Cash-on-Hand has been determined to be correct. CDs were cashed in to pay roadwork and emergency vehicles which affects cash-on-hand. Clerk and Treasurer will meet this month to reconcile any differences found in financials. Nowak commented discussion on financials should be completed before bids are opened for new town hall or before Board moves forward on town hall; bids must be opened as published on July 17, 2019. Supervisor Jerabek stated the Board has 30 days from date of opening bids to move forward on town hall.

XIII. Agenda Items for Next Meeting 8.5.19: Garbage-Recycle Curbside Pickup; Speed Limit Maple Rd; Whole House Water System; Untidy Yards; Borhardt Study Findings; Cedar Road Work; New Town Hall; Drip Irrigation of Feed Pad Wastewater; Board of Review Date, Sept. Monthly Meeting date; Town Financial Questions to be included in Treasurer Report (contingent on ability for Treasurer/ Clerk mtg. prior to August 5)

XIV. Bills were reviewed and motion made to approve payment of bills (Jerabek/Nowak). Motion carried.

XV. Adjournment: (Jerabek/Nowak) 9:09pm.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon