



Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, August 5, 2019

I. The regular meeting was called to order at 7:00 p.m. by Town Chairman, Cory Cochart. Pledge of Allegiance recited. Board of Supervisors (BoS) present: Jordan Nowak and Jesse Jerabek. Others present: Tim Strnad, Town Treasurer, Joe Jerabek, Town Assessor, Lynda Cochart, Dick Bultman, Carol Wautlet, Mick Sagrillo, Suzy Vania, Lonnie Fenendael, Shane Fenendael, Paul Wallace, Nick Cochart, Brad Porath, Matthew Thaysse, Joe Vincent, Brent Eisenman, Dixie Eisenman, and Amy Zacharias of Action Appraisers.

II. **August 5, 2019 Agenda:** Motion made to approve agenda as submitted (Jerabek / Nowak). Motion carried.

III. **Motion made to approve July 1, 2019 meeting minutes** as submitted with addition of comment by Jesse Jerabek that no action would be taken on new town hall bids until financials question was satisfied (Nowak/ Jerabek). Motion carried. Email sent out by Supervisor Nowak preceding 7.17.19 Special BoS meeting to open new town hall sealed bids included statement that decision would be made on bidder that night. Supervisor Jerabek noted that while he agreed at regular July 1, 2019 ToL meeting on not moving forward with town hall until ToL financial questions were settled, per State Statutes, this goes against town board etiquette to discuss unapproved meeting minutes. Jerabek also stated besides avoiding discussions of unapproved meeting minutes, any claims made publically must be truthful to avoid rumors and gossip. June 3, 2019 regular ToL Board meeting minutes were reviewed; no statement was found in June minutes declaring that decision on new town hall bid was to be made the night bids were opened. **Motion made to approve Special July 17, 2019 meeting minutes** for opening sealed town hall bids as submitted with correction of spelling of bidder Lorrigan (Nowak / Jerabek). Motion carried. Supervisor Nowak brought back subject of the fairness of request to have his April '19 election signs moved; stated that nowhere in Zoning Ordinance (ZO) Section 9 Signs does it say signs may be located in right of way, does not agree Zoning Ordinance should require political signs to follow locations / setbacks, and feels political signs fall under temporary signs. Supervisor Jerabek reviewed temporary sign / political sign rules again per ZO Section 9 Signs. Political signs are specifically called out in ZO to not be within 15' of public right away. Political signs are categorized separately due to the controversy they may cause. Examples of temporary signs that do not have setbacks are: Kermis signs, no hunting signs, field crop signs, builders' signs, church signs, etc.; Jerabek stated now that Nowak is on Plan Commission, he could pursue issue of having no signs at all in right of way. Motion made recommending Plan Commission review of Zoning Ordinance (ZO) Section 9 Signs for possible rewrite on locations / setbacks (Nowak/Jerabek). Motion carried by 2-1 vote with Chairman Cochart voting no. Supervisor Nowak noted that due to Jodi Parins' Public Comment towards him at last Board meeting, "put on your big boy pants", he wanted to make a motion to remove her from Plan Commission, the motion was not seconded/not carried. Consequently, Nowak stated he wanted meeting minutes to reflect that "Harassment is allowed at Town of Lincoln meetings"; Clerk advised minutes will only read that he wanted this comment recorded in minutes, (not that harassment is actually allowed at Town of Lincoln meetings).

IV. **Treasurer's Report:** Strnad gave report on Town of Lincoln Income, Checking, CD, and Savings accounts. Motion made to approve July Treasurer's Report (Jerabek / Nowak). Motion carried. Motion made to approve amended June Treasurer's Report to include Action Appraiser check # 6702 (Nowak/Jerabek). Motion carried. **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 Expense / Revenue 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. Cash on hand reports going back to 2012 were reviewed and are correct per Treasurer Strnad, so there is no discrepancies in ToL cash on hand, checking account balance, or any other account balances. Treasurer and Clerk met on 7.18.19 to review financial discrepancies; Clerk's report will reflect minor corrections to which account expense and revenue amounts are applied to. Incorrect line item on Clerk's 2015 Total Revenue will be revised from \$299,883.81 to \$315,272.32 due to Clerk's Excel formula mistake. Clerk will now submit monthly check registers to Treasurer with expense/revenue accounts listed for double check on report accuracy. Amended 2015-2018 Expense/Revenue reports will be submitted by Clerk for Board review at 9.9.19 ToL Board of Supervisors meeting.

V. **Clerk's Report:** Town Clerk reported on work completed /correspondence received during previous month to include: Issuance of 2 fireworks permits, transported election machines to County for annual maintenance, returned 3 special assessment letters, and met with Treasurer on July 18 after town financials were reviewed. Correspondence: WTA August magazine, notice of Manufacturing Rolls in township, and WTA notification of legislation to be worked on after congress back from recess.

VI. **County Supervisor's Report:** Cory Cochart gave report: no July County Board meeting; no cost of living increases reported to Cty Board, but has been addressed at Personnel & Legislative Committee. Hwy Committee: townships are able to buy salt from County, asphalt plant and mix has improved, Cty F culvert moving forward, fuel tank replacements at Hillside, Stangelsville, and Algoma shops underway, Commissioner questioned re: online auction items posted w/out committee approval, Landfill activity: monthly testing, leachate hauling, and mowing. Would like to pump leachate down to monitor. Promo & Rec: 8.11.19 mountain bike demo scheduled, approved zoo group's new deer/goat bldg. and fencing: \$40,000 from group and remainder from Public service grant, ATV Club holding Wicks Race fundraiser approved, failing septic tank at Landfill Bldg./ATV Park was replaced, and Winter Park fund to pay for replacement of water lines and expansion of parking space. KCEDC contribution put on Sept. agenda; cannot make donation without elector approval/need to include in next Special Elector meeting.

VII. **Resolution / Ordinance / Permit:** a. Motion to approve Resolution of Town BoS Standards of Operation & Town Meeting Protocol (Jerabek/Nowak). Motion carried. b. ATV/UTV Ordinance: Sheriff cannot enforce road violations on ATV/UTV without ordinance. Local municipalities are passing ordinances; update next month with possible appearance by Sheriff Joski. c. Kewaunee Renewable Energy Conditional Use Permit: Mick Sagrillo will draw up an amendment to add 3rd underground line and submit separately to Supervisors for approval/ modifications; Chairman Cochart will have authority to sign amendment for township.

VIII. New Town Hall Construction Bid/Possible Q/A with BJP Construction: Brad Porath of BJP Construction was available for Q/A; this was only bid that came in under elector approved \$275,000 limit. Supervisor Jerabek reviewed range of bids received: \$263,574.89 to \$452,724.00. Jerabek created breakdown of bids comparing different options included in bids, material / items, and markups; feels BJP Construction bid is a qualified bid and most thorough- no reason to disqualify bid was presented. Motion made to accept bid with BJP Construction as qualified bid and work to develop a contract to serve Town of Lincoln and BJP Construction needs (Jerabek/Nowak). Motion carried 3-0. Per WTA, ToL must sign proposed BJP Construction bid as written, but is allowed a margin of 10%-15% of contract value for change orders without going out for new bids. BoS discussed in-floor heating option / tubing only option for in-floor heat at a later date, furnace size, and reduction of parking space.

IX. Planning Commission (PC) Report: Sagrillo filed Livestock Siting application for Kinnards with DATCP, no response received yet. PC and BOS met with Dr. Borchardt on 7.19.19 to review his groundwater findings. He was very complementary of GIS records, best for any town or county in State of Wisconsin.

a. Impact Fee State statute requirements were reviewed by Sagrillo last month. WTA may be asked for guidance on an Impact Fee Ordinance.

X. Zoning: CUP zoning hearing for telecom towers to be installed on Jordan Nowak property scheduled for August 28 along with public hearing on 4 resolutions. Notice of hearings to be published in newspaper. Fire numbers were requested for Martin Rd property; Chairman requested cost of fire number sign/installation be omitted from permit and be responsibility of permit applicants.

XI. Business/ Actions:

a. **Garbage Collection:** Garbage dropped at town hall, license plate # not matching type of vehicle. Constable to haul garbage to Mastalir's. Chairman checked with Going Garbage to see if compromise can be met on issue of long driveway service as represented at public meeting in April; no definitive answer was received.

b. **Speed Limit Posting- Maple Road:** Signs are posted. Patrols will spend time on Maple Rd between Pheasant and Cty S and on Spruce Road to watch speeding (on Sundays).

c. **Borchardt Study Findings:** Dr. Richard Borchardt presented findings on 7.17.19. Supervisor Jerabek thought it was excellent presentation. Two pieces of noteworthy information: depth of well casings has negligible effect on nitrates and mound or (failing) septic systems in ToL have no effect on nitrate contaminations.

d. **Untidy Yards Update:** Update next month.

e. **Whole House Water Treatment Study:** Stonehouse attorney has submitted a list of questions to ToL attorney on historic conversations; update next month.

f. **Cedar Road Repair:** Chairman talked to Scott Construction and got cost of \$80/ton for cold mix patch material; hot mix is better price. Needs to talk with L. Fenendael about cost share and will have County take care of in Fall most likely. Update next month.

g. **New Town Hall:** Plans must be approved by State, date now set as Sept 6, and loan and financing options need to be completed with Bank of Luxemburg. Board will meet on 8.19.19 to review contract with BJP Construction after ToL attorney finalizes contract with options accepted/declined. 9.6.19 is starting date w/out paying \$75 fee to start earlier. Jerabek will contact bidders and notify acceptance of the only qualified bid. March 1, 2020 will be proposed substantial completion date and receipt of final payment.

h. **Discussion re: irrigation of wastewater collected from feed pads.** Update next month; Dr. Borchardt is willing to be involved.

i. **Open Book will be Sept 5 at 10:00am to 7:00pm and Sept 6 at 9:00am to 6:00pm,** appointments may be made by phone with Action Appraisers. Notices of new assessments to be mailed week of 8.16.19. **Board of Review (BOR) will be held on Wednesday, September 25th, 2019 starting at 6:00pm for a minimum of 2 hours.** Clerk will post Open Book / BOR dates on website and publish in newspaper.

j. Motion made to move **Sept ToL meeting to Monday, Sept 9** due to Labor Day being first Monday of Sept (C. Cochart/Jerabek). Motion carried.

XII. Public Comment: Chairman Cochart reviewed public comment rules. (Wautlet) Thanked Treasurer / Clerk for extra work on financials. Questioned KCEDC fundraising need of \$60,000 after County gave \$40,000; what will happen if goal is not met? Re: possible rewrite of sign ordinance, must be careful on unintended consequences on ToL businesses that post signs without any right of way available in front of property. (Strnad) Asked if any ToL responsibilities on received notice of State approval of plan for equestrian building in ToL. (Vania) Asked how stretch of Maple Rd was decided on for speed limit change, why not all the way to Cty K? Can Pheasant to Cty K still be changed to 35mph? Stated noticeable increase in speed once traffic passes Pheasant Rd.

XIII. Agenda Items for Next Meeting 9.9.19: Speed Limit Maple Rd; Whole House Water System; Untidy Yards; Cedar Road Work; New Town Hall; Drip Irrigation of Feed Pad Wastewater; Raising of Tax Levy Discussion; KCEDC Contribution; Current Town Hall Repair

XIV. Bills were reviewed and motion made to approve payment of bills (Jerabek/Nowak). Motion carried. Question on WPS/CenturyTel billing for fire calls on poles/boxes to be reviewed.

XV. Adjournment: (Jerabek/Nowak) 9:49pm.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon