



## Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, January 6, 2020

I. The regular meeting was called to order at 7:06p.m. by Town Chairman, Cory Cochart. Pledge of Allegiance recited. Board of Supervisors (BoS) present: Jordan Nowak & Jesse Jerabek. Others present: Tim Strnad, Town Treasurer, Joe Jerabek, Town Assessor, Lynda Cochart, Paul Wallace, Jenny Nowak, Matthew Thaysse, Carol Wautlet, Mick Sagrillo, Brent Eisenman, Starlyn Salemi, Jodi Parins, Lonnie Fenendael, Suzy Vania, Ricky Weidner, Steve Alberts, Vicki Alberts, Jeremy Zenefski, Brad LeGreve, Eric Weidner, Julie Engebose, Dale Engebose, Jim Deprey, & Jane Deprey.

II. **January 6, 2020 Agenda:** Motion made to approve agenda as submitted w/ addition of i. MLS Program under X. Business/ Actions (Jerabek/Nowak). Motion carried.

III. **Motion made to approve December 2, 2019 meeting minutes** as submitted (Nowak/ Jerabek). Motion carried. **Motion made to also approve November 4, 2019 revised meeting minutes** with addition of Joe Jerabek Public Comment (Jerabek/ Nowak). Motion carried. Supervisor Nowak questioned when tax bills were stated to have included garbage pickup charges; see discussion under **b. Garbage Pickup**.

IV. **Treasurer's Report:** Strnad gave report on ToL Income, Checking, CD, Savings, & Loan accounts. Treasurer expects to have possible March report on property taxes collected & settlements paid out. Reminder was sent to owner of dangerous dog for need of dog license yet. Motion made to approve Treasurer's Report (Jerabek/Nowak). Motion carried.

V. **Clerk's Report:** Correspondence: WTA Dec/Jan magazines, Schmitz Ins. thank you for 2019 business, State DHS survey: Tobacco sellers in ToL, Scott Constr. insurance certification & Kew Cty Directory of Clerks/Treasurers. Work completed over last month: attended 3+hr Election Security Training, forwarded 1<sup>st</sup> responders answers for Schmitz Insurance Liability survey, returned Recycling Grant Resolution to WISC DNR, completed 2 end of year financial reports for DOR. Work done re: Supervisor Nowak requests: added Joe Jerabek public comment to Nov minutes per his recollection, taped comments were inaudible due to separate conversations taking place during Public Comment; clerk reminded all that technically public comments will be recorded in meeting minutes if person addresses the Board of Supervisors first, stating their name before beginning their public comment. Minutes are meant to be a summary of important meeting discussion & comments that may affect ToL decisions, & are not meant to be a transcript recording word for word. Clerk also received 3 additional email requests from Supervisor Nowak on 12.3.19: a) Wanted October meeting minutes to reflect that he did not decline the opportunity to review 31 Clerk's mistakes on 2015-2018 financials which he brought up at October meeting. At approximately 1:24:00 on mtg. tape, Clerk asked if he wanted to review Clerk corrections to 2015-2018 financials & Supervisor Nowak replied, "No, I am good with that." At 1:27:00 Supervisor Jerabek asked Nowak if he wanted to add anything to the motion to put the financials to rest, Nowak answered in negative. b) Supervisor Nowak recalls Treasurer Strnad has now stated that his financials & Clerk financials should match & wants October minutes to reflect statement & preceding Treasurer statements retracted from meeting minutes where he states the two financial reports should not match. Upon review of October tape, Clerk did not hear this Treasurer statement, putting up for discussion. Strnad said only he can retract his own statements. Also stated that due to matching categories of expenses & revenues by Clerk & Treasurer on their respective reports, line item amounts will now match. #3 Supervisor Nowak requested draft minutes be available by Friday before monthly Monday meeting to avoid any Clerk omissions or alterations. Clerk will comply as schedule allows; noting previous Clerk's minutes were handwritten in leather bound book, reviewed orally before motion made for approval, & never printed or posted anywhere publically.

VI. **County Supervisor's Report:** Cory Cochart gave report on **Promo & Rec:** Met with race group over proposal, needed to decide if they want County to grade racetrack for them, now to go before County Administrator for negotiations before full County Board approval. Winter Park was open for short time in December, but due to weather has been closed. Ice rink is on hold until next year due to a leaking DNR pond. **County Board:** Public comments for need for housing study, need for safe, affordable housing & landlords not doing upkeep on existing housing, public comments on manure spreading & Forestville Dam draw down. Board Vote approvals 19=yes, 0=no on following: properties in 5<sup>th</sup> year of tax delinquency, Sheriff's Dept. Budget adjustment, Bridge Aid request for Red River, & Broadband Expansion Grant w/Bug Tussel. Marine Sanctuary designation tabled & final vote to move forward on Housing Study approved w/ 16-3 vote. Resolution for Gov. Evers to declare manure emergency removed from agenda. Rep. Kitchens was in attendance reporting main focus was clean water, but did not have much to comment on at the time.

VII. **Town Building Inspector Contract: Beining Building Inspection:** Next month.

### VIII. Resolution/Ordinances:

- a. **ATV/UTV Ordinance:** Update next month.
- b. Motion made to approve **Resolution on Notice to Cease & Desist Violating a Town of Lincoln Ordinance / Schedule of Citation Deposits** (Jerabek/Nowak). Motion carried by vote of 3-0.
- c. Motion made to approve **Cemetery Ordinance** (C. Cochart/Jerabek). Motion carried by vote of 3-0. Decision made not to send ordinance to Wiese Memorials. Bylaws for Cemetery to be worked on yet by PC.
- d. Motion made to approve revisions to **Signs Ordinance** (Jerabek/ C. Cochart). Motion carried by vote of 2-1, Nowak= nay.

IX. **Planning Commission (PC) Report:** Sagrillo presented 2019 Plan Commission activities Report (*attached*). Discussion on town hall fees followed. Supervisor Nowak asked if 16 PC meetings was normal looking at annual budgeted \$10,000 for Zoning. (*Sagrillo*) *Varies from year to year, 2019 number of PC meetings was low giving PC break after so many meetings held earlier in year for Kinnard project & zoning budget also includes Administrator wages & zoning hearing postings in newspaper.* B. Eisenman asked how often Groundwater Protection Plan is done, if it is necessary, what is involved, & if lawyer is involved. (*Sagrillo*) *Attorney work is minimal, majority of work is done by Sagrillo. GW Protection Plan was never done before although a lot of work is done already, & aim is to be proactive working with Land & Water to protect Groundwater. (Supervisor Jerabek) Voluntary act to protect GW, not required by State like Comprehensive Plan.*

X. **Zoning:** None.

### XI. Business/ Actions:

- a. **KCEDC Contribution:** Supervisor Jerabek reviewed State statute on appropriate donations by municipalities. Donation to be decided on by electors at next Annual Meeting.

**b. Garbage Pickup:** Chairman Cochart & Sagrillo both confirmed answer to Matt Thayse's question received from Going Garbage: "recycling is not sent to landfills, garbage/recycling separated into different compartments in truck, & \$15.85 charge is per month no matter if garbage, recycling, or both is collected at residence. Cochart noted recyclables should not be bagged in plastic & will seek reimbursement for charges paid for no pickup properties. One complaint received about cans at empty home; it is property owner's responsibility to report to ToL if no one is living at property. Tax payers charged incorrectly will be reimbursed this year & removed from future tax bills. Comments were received from residents with small amount of garbage; confirmed they still have to pay same charge. Treasurer Strnad stated that in the beginning of the curbside process, his intent was to be informational, not to be misleading & understands how there could be confusion. At beginning of process, he was under assumption that ToL had to have one complete year in before garbage /recycle charges could be added to tax bill. Decision to go to curbside was because of the abuse of the garbage drop-off at town hall. Electors of town could agree at Annual meeting to change payment process.

Jenny Nowak stated it was extremely misleading the way it was written that town was going to pay for charges in 2019. 6-8 people complained to Supervisor Nowak about curbside charges on tax bills.

**c. Speed Limit Posting- Maple Road:** No additional signs up yet, update next month. LeGreve asked about speed limit on Maple Rd. C. Cochart reviewed request for remainder of Maple Rd to be 35mph & ATV ordinance status with County.

**d. Dangerous Dog Update:** Chairman Cochart has forwarded complaint to Sheriff's Dept.; if township cannot license dog, complaint has to be forwarded to County DA.

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

**f. Whole House Water Treatment Study:** Stonehouse wants to meet for mediation in February, date TBD. Re: Paul Wallace's question on 1099 to be sent to participants in Stonehouse Water Study; Chairman Cochart already addressed w/ Wallace.

**g. New Town Hall:** Most of electrical done, progress looks like will be done on time. Appliances need to be addressed yet. Binder of progress made so far was available to view. Running list of expenditures for new Town Hall is being tracked by Supervisor Jerabek & Strnad. Brad LeGreve stated 1<sup>st</sup> Responders have not submitted grant applications yet due to no contract with ToL; needs to have access to any 1<sup>st</sup> Responders group equipment or materials at new Town Hall. LeGreve will forward information for what is needed for grant applications. Donations have been received towards new hall; time as well as monetary donations can be made. Mick Sagrillo donated chairs for new hall.

**h. Black Ash Road Repairs:** South Bridge on Black Ash Road needs repair.

**i. Multimodal Local Supplement Program (MLSP):** Supervisor Jerabek completed entry of 90-10 MLSP application online for *ToL CAFO Travel Corridor Rehabilitation Project* to fix roads adjacent to three CAFOs = \$907,491.12 for total application. Chairman Cochart reviewed specific roads/costs & treatments. Priority list of roads included in application; Elna Farms is currently committed to contribute \$5000 per year, Board to consider asking contributions from other farms that use these roads. Supervisor Jerabek added roads need to be in good condition since farms depend on them to do their jobs. Program pays up to 90% of total eligible costs w/ local governments providing a minimum of 10% cost share.

**XII. Public Comment:** (Salemi) Asked who will meet with farmers for road contributions & what if weight limits are not followed. (C. Cochart) *Town Board will approach other farms that use roads in project. (Jesse Jerabek) State relaxed requirements for roads in the past & even if weight limits are followed, roads were not built for 90,000 lbs.* (Parins) Asked if manure hauling allowed on Maple Rd. (C. Cochart) *Yes, cannot keep them from getting to land.* (Jeremy Zenefski) Stated interest in purchasing current Town Hall property to add to adjacent property he owns; asked about what would stay with building & if garbage pickup at current Hall. (C. Cochart) *Town Board will put current Town Hall property up for bid, no garbage pick up here at this time, & still need to decide what will be left at current building.* (Joe Jerabek) *Currently zoned as non-conforming (grandfathered) Rural Residential less than 5 acres.* (L. Cochart) Does not expect to read word for word meeting minutes, should be a summary of what was said or decisions were made. (Eisenman) Stated surprised at his property taxes, stating ToL used to have \$700,000 in bank account, wonders where the money has gone- feels legal fees have been over \$100,000 in last 8 years & ToL Board uses attorney more than other towns, Board is anti-Ag Board & not conservative in spending. (C. Cochart) Stated Board is not required to answer public comments, at times necessary to have legal counsel, but if it's felt that job he's doing is not good enough, others can take out papers to run & be responsible for answering hard questions. States takes responsibility for the Stonehouse water study. (Wautlet) Stated ToL was forced to have a reassessment; Schools/NWTC take their portion & ToL keeps least amount of local municipalities. Feels Town Board does a good job keeping costs down. (V. Alberts) Should not compare to other towns unless we have their records to compare apples to apples. Asked where people are with complaints, they should send letter or email to complain. (Jesse Jerabek) Also heard complaints about taxes going up; stated ToL (37%) portion of his own tax increase was \$35 with the majority of total tax increase going to Kew County & L-C School district. The small portion of total tax kept by ToL has to pay to cut ditches, plow snow, pay annual service charges to Algoma & Luxemburg for ambulance & fire protection; tax payers should examine tax bill to see what percentage actually stays w/ Town of Lincoln & notes no tax increase took place for *Town of Lincoln* in 12 years until mandated revaluation in 2019. Thankful for 1<sup>st</sup> Responders being a perk for living here. Stands behind decision to build a new Town Hall, agrees being on Board is a thankless job, requires giving up a lot of family time. (Parins) Stated 7 PC meetings in 2019 spent on complex project for Kinnard Farms / DTE to protect ToL residents with over \$1,000 spent on legal fees; @ \$30/mtg, pay is less than what babysitters make. Feels PC did due diligence to protect town. In 2013-2014, challenge about manure irrigation by Wisconsin DBA, Pagel's Ponderosa & Dairy Dreams cost ToL over \$10,000 in legal fees which was later reimbursed after ToL won. Encouraged public commenters to have facts straight & feels to state \$100,000 spent for legal fees in last 8yrs was grossly erroneous & promotes rumors, but agrees costs for 1-1/2 PC meetings on placement of temporary/election signs was unnecessary. FACTS: PER FINANCIALS ON RECORD, THREATENED LAWSUIT BY DON NILES, JOHN PAGEL & WDBA CONCERNING THE BAN ON CENTER PIVOT IRRIGATION OF MANURE AND AGRICULTURAL WASTEWATER, CONTRIBUTED TO TOTAL 2014 LEGAL BILL = \$11,468.44 WITH THE TOWN OF LINCOLN LEGAL REIMBURSEMENT = \$10,876.44. PER FINANCIALS ON RECORD, 2014-2019 LEGAL EXPENSES = \$22,267.83 WITH THE TOWN OF LINCOLN LEGAL REIMBURSEMENT = \$10,876.44 LEAVING ACTUAL 2014-2019 LEGAL EXPENSES = \$11,391.39 TOTAL FOR LAST SIX YEARS. STONEHOUSE ATTORNEY FEES MAY POSSIBLY RESULT IN A REIMBURSEMENT.

**XIII. Agenda Items for Next Meeting 2.3.20:** Speed Limit Maple Rd; Whole House Water System; New Town Hall; ATV Ordinance; Road Issues /MLSP  
**XIV. Bills** were reviewed & motion made to approve payment of bills (Nowak/ Jerabek). Motion carried.

**X. Adjournment:** (Nowak/ Jerabek) 9:57pm.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon