



Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, March 1, 2021

I. The regular meeting was called to order at 7:00p.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, Jodi Parins, Brent Eisenman, JJ Pagel, Shane Fenendael, Susan LaCrosse, Jeff Johnson of Going Garbage, Andrew Gantman of Going Garbage, and Mick Sagrillo, PC Chairman.

II. March 1, 2021 Agenda: Motion made to approve agenda as submitted with changes to delete 9. f. (Business) *EINa Farms Tile Line Installation* and move up *Garbage Pickup / Commercial Dumpsters @ Residences* to 9. a. (Business)

(Nowak /Jerabek). Motion carried 3-0.

III. Motion made to approve February 1, 2021 meeting minutes as submitted (Jerabek/ Nowak). Motion carried 3-0. February 16, 2021 Special BoS meeting minutes to be supplied for approval next month by Clerk.

IV. Treasurer's Report: Strnad gave report on ToL Income, Checking, CD, Savings, & Loan accounts. 12 unlicensed dogs in township and two property taxes are delinquent. Motion made to approve Treasurer's Report as submitted (Nowak /Jerabek). Motion carried 3-0.

V. Clerk's Report: Work completed over last month: attended two PC mtgs/hearing, returned one special assessment letter, received back five EMS / Fire call reimbursements, 36 voters cast ballots for 2.16. 2021 Primary Election. Correspondence received: none.

VI. County Supervisor's (District 2) Report: none.

VII. Planning Commission (PC) Report: Motion made to approve Resolution 2021-1: Change to the Zoning Ordinance adopting the term "family" defined as a group of 2 or more persons related by blood, marriage, or adoption/foster care living together as a single housekeeping unit or a group of not more than 3 unrelated adults maintaining a common household (Jerabek / Nowak). Motion carried 3-0. Sagrillo reported on Public Hearing held on 2.22.21 for Groundwater and Surface Water Protection Report & Recommendations (GSWPRR) previously named Groundwater and Surface Water Protection Plan (GWPP) and 2.24.21 meeting to review edits and incorporate Public Hearing comments related to GSWPRR. Motion made to adopt Groundwater and Surface Water Protection Report & Recommendations (Jerabek / Cochart). Motion carried 2-1; Nowak = No. Supervisor Jerabek suggested having one designated PC meeting date per month and discussion took place on limiting length of meetings & compensation of PC members. Next PC meeting scheduled for 3.29.21 for rezoning/ site plan review for Ron Vandermause and possible site plan review for Neal Destree.

VIII. Zoning: Sagrillo reported on 2.8.21 rezoning hearing for Dairy Dreams, LLC request to divide an existing 4.894 Rural Residential acre parcel into two separate Rural Residential parcels to build a two-family duplex on the subsequent 3.19 acres parcel for the housing of farm's managers. Remaining approximately 1.66 parcel will have existing house; both parcels meet ZO minimum acreage. BoS reviewed Rezoning Action Report and motion made to approve rezoning request (Jerabek / Nowak). Motion carried 3-0. Conditional Use Permit request was also heard by PC from Dairy Dreams, LLC to build a non-furnished single-floor ranch style two-family duplex w/ 5-bedrooms, kitchen, living room, 2 bathrooms each, and will currently share a well w/ 1.66 parcel and existing house. BoS reviewed CUP Action Report and four listed conditions:

- Any change in use (duplex) would result in a nullification of current CUP and a re-application for a new CUP.
- Any changes to structure from plans submitted would require a change in CUP before any building permit is issued & construction commences.
- The duplex is for two families, one on each side, w/ 5 bedrooms & 2 bathrooms in each living unit. For purposes of this permit, with the ToL Board's approval, a family is defined as a group of 2 or more persons related by blood, marriage, or adoption/foster care living together as a single housekeeping unit or a group of not more than 3 unrelated adults maintaining a common household.
- Septic system must be sized to accommodate number of bedrooms in the duplex.

Motion made to approve Dairy Dreams, LLC CUP for construction of duplex w/ language substitution of "families" in place of "farm managers" (Jerabek / Nowak). Motion carried 3-0.

IX. Business/ Actions:

a. Garbage Pickup / Commercial Dumpsters @ Residences: Johnson and Gantman were present to discuss monthly rate of containers based on number of resident participating and dumpster rate if not using containers. At times, Going Garbage dumpsters are scarce & are subject to a waiting list, contact needs to be made w/ residents with questions on size of dumpster and how often to pick up. One Board member will be the contact person for Going Garbage. Clerk will add garbage / recycling pricing info to website once received from Going Garbage.

b. Date of Annual Meeting for Electors: Annual meeting for the Electors will be held on 4.27.21 at 7:00pm.

c. Town Hall Drop Box: Issue of envelopes getting stuck in box; Strnad to see if modification may be made to accommodate envelopes before purchasing a new one.

d. Untidy Yards: Update next month.

e. Road Issues / Multimodal Local Supplement Program (MLSP): Signed funding agreement returned to Wisconsin DOT for 5-year project.

f. Road Construction Projects/LRIP / Tamarack Road Paving: Todd Every, Kew County Hwy Commissioner, supplied estimates for County work for first ToL Local Road Improvement project approaching sunset date of 6.30.2021. ToL to publish request for sealed bids to purchase asphalt from contractor & have County do hauling & paving (alternative qualifying project may be submitted if necessary). Combining of two projects on Tamarack (to Hawk Rd) is allowed as qualifying as long as minimum required dollars are spent and both projects are completed by 6.30.21.

g. Hawk Road Property: Three sealed bids received and reviewed by Board of Supervisors for 3.2 acre Hawk Road property. Motion made to accept highest bid of \$7,001 plus closing costs and legal fees from R. McClure (Jerabek / Cochart). Motion carried 3-0. Chairman Cochart to notify McClure of acceptance of his offer.

h. Stone House Technologies Update: Next month.

X. Public Comment: (Sagrillo) Read a prepared statement in response to Supervisor Nowak's statement at 2.1.21 Board meeting ("we shouldn't be telling people what to do on their own land"); Sagrillo agrees, but then why have a Zoning Ordinance (ZO)? If L. Fenendael would have terminated tiling on his own land there would not have been an issue, but it was emptied into a ditch into the public right of way, continuing under a road without permission, and emptying into Silver Creek. Who repairs the road and pays for the inevitable damage? With the GSWPRR just competed, Sagrillo noted the ZO is based on the ToL's Comprehensive Plan quoting Ch.5, page 13, "*transitioning to more sustainable agricultural practices with a focus on the health of the soil, the groundwater, and the environment is apparently the only way that the township will ever remediate its currently deteriorating groundwater situation and protect the town's watershed and quality of life for town residents*". In summary, that is why we have a ZO, once property owner goes off their land, the Town of Lincoln has the right and responsibility to protect the residents from practices that infringe upon the rest of us. (Parins) Is very concerned about construction under approved Dairy Dreams' CUP for 2-family dwelling; does not feel it represents what is normal for a 2-family dwelling w/ 5-bedrooms per side of duplex coupled with boarding room comments made by LaCrosse and JJ Pagel at earlier meeting. By building under residential code, a boarding house situation would not be covered by commercial code to include sprinklers, etc. and encourages the Board to keep an eye that families are protected. Stated such situations where employees are provided housing by employers not covered under same consumer protection laws as regular renters. (Lynda Cochart) Feels Dairy Dreams' housing does not include maintaining surrounding buildings on properties they are renting out. (Strnad) Noted call was made 4 months ago to Going Garbage inquiring on dumpsters. (Jesse Jerabek) Would like protocol in place to ensure Town Hall is cleaned and ready before rental dates. (Cory Cochart) Frozen septic at Town Hall needed to be thawed last month. In the future, work may be needed to insulate system or use an additive for septic to create heat.

XI. Agenda Items for Next Meeting 4.5.21: Hawk Rd Property; Road Issues / MLS Program; Road Construction Projects, Garbage Pickup; Untidy Yards; Stone House Technologies Update

XII. Bills: March bills were reviewed & check register signed by Board of Supervisors. Motion made approve March bills (Jerabek/ Nowak). Motion carried 3-0.

XIII. Adjournment: 8:42pm. Motion made to adjourn (Jerabek/ Nowak). Motion carried 3-0.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon