

Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, September 13, 2021

I. The regular meeting was called to order at 7:01p.m. by Town Chairman, Jesse Jerabek. Pledge of Allegiance recited. Other Board of Supervisors (BoS) present: Jordan Nowak & Brent Eisenman. Public attendance: Tim Strnad, Town Treasurer, Joe Jerabek, Town Assessor, Jodi Parins, Joe Vincent, Suzy Vania, Vicki Alberts, Steve Alberts, Lynda Cochart, Larry Paul, ToL Constable, and Mick Sagrillo, PC Chairman.

II. **September 13, 2021 Agenda:** Motion made to approve agenda as submitted (Nowak/ Eisenman). Motion carried 3-0.

III. Motion made to approve **August 2, 2021 Regular BoS meeting minutes** as submitted (Eisenman / Nowak). Motion carried 3-0.

IV. **Treasurer's Report:** Strnad gave report on ToL Income, Checking, CD, Savings, & Loan accounts and reviewed interest rates on accounts; suggested may check on options to refinance Town Hall loan w/ Bank of Luxemburg. One outstanding delinquent dog license citation issued and court date set. Motion made to approve Treasurer's Report as submitted (Nowak/ Eisenman). Motion carried 3-0.

V. **Clerk's Report: Work completed over last month:** Work completed in last month: Returned two special assessment letters, called Sheriff's Dept. to have contact info updated, sent permit letter to Scott Fenendael, contacted IRS on extra fee letter, processed election postcards on poll book registrations, updated sale of locks on Website, filed 2022 Recycling Grant Application. Correspondence received: Silver Creek GLRI project denial, Electronic poll book information, DOR information on Equalized Values, Shared Revenues, School Levy Tax Credit, Fire Dues distribution, WTA August 16, 2021 Kew County Unit meeting, and WTA July magazine. Motion made to approve Clerk's Report as submitted (Nowak/ Eisenman). Motion carried 3-0.

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

VII. **Zoning:** None.

VIII. **Planning Commission (PC):**

a. **S. Fenendael Building / Residential Permit Discussion:** Chairman Jerabek had contact w/ S. Fenendael re: occupancy permit and reported progress made on outstanding requirements. Septic system to be done in next 1-2 months. Motion made to extend occupancy permit requirements deadline to Oct 1, 2021 (Nowak/ Eisenman). Motion carried 3-0; Chairman to notify of extension.

b. **PC Chairman Report:** No PC meetings or hearings to be reported on and none scheduled at this time. Sagrillo is working with Roach & Associates LLC on S. Fenendael pig barn project. Sagrillo and Chairman Jerabek held an informal meeting on 9.9.21 with JJ Pagel on a future Dairy Dreams project re: preliminary plans and proper process to be followed up with the PC.

IX. **Business/ Actions:**

a. **Road Issues:**

- **LRIP: Overdue Cedar Road Payment for Damage;** Chairman Jerabek contacted ELNA Farms re: \$5000 road repair contribution for 2021, they would like to make a double payment in 2022. Jerabek would like to work with ELNA Farms on the best time to work on Cedar Rd. Preliminary engineering work will be completed this fall and bids/award out by early 2022. Motion made to allow ELNA Farms to pay remaining \$10,000 by May, 2022 (Nowak/ Eisenman). Motion carried 2-1, Jerabek voted nay due to ToL having to pay engineering costs this Fall and lost interest on \$5000.

- **Cedar Road Bid Timeframe;** Todd Every of Kew Hwy Dept. is available to meet w/BoS to discuss repair work & funding.

- **2 Year Improvement Plan for 2022-2023 Program Cycle;** PC tasked to come up with 2 Year Improvement Plan for Town of Lincoln roads after BoS review conditions of ToL roads on 11.6.21. 2-Year Improvement Plan must be in place to apply for grants

- **BoS Review Discussion of LRIP Webinar: Applying for a New Project;** Supervisors to watch webinars available on LRIP.

- **IOH Complaints:** Complaint of tankers lined on Hawk Rd / Cty C / Cty P and sand at intersection approved by Supervisor Nowak; text to be sent to BoS at approvals. Complaint received of black topping vehicles parked on County road; Kinnard Farms gave permission to park vehicles in their field.

- **2nd Ditch Cutting on Town Roads Timeframe:** BoS agreed to schedule 2nd ditch cutting w/ Kewaunee Cty for end of Sept. Turkey Lane cutting discussed, had not been cut in past year & may need private party to work on.

- **Black Ash Road Damage:** Supervisor Nowak tried to contact operator; no return calls have been received.

- **2021 Bridge Inspection:** Copy of 2021 Bridge Inspection Report available for BoS review; inspection listed suggestion to realign or replace markers on Silver Creek bridge and to add riprap. Report to be filed at Town Hall.

- **WISLR Road Certification Approval:** Bay Lakes Regional Planning completed 2021 WISLR Road Certification for free; Chairman to complete any outstanding WISLR filing requirements.

- **Turkey Lane Road Maintenance:** Past ToL board had discussed road improvement on Turkey Lane, but at the time the resident had declined work. A repair of road to resident's turn-around was discussed w/ ToL paying partially (approximately \$2000) for a place for trucks to maneuver without using resident's driveway; need to find out where the portion of this ToL road ends. Garbage pickup, snow plowing, and deliveries are hampered by condition of Turkey Lane. Motion made to request scope of work for repair of Turkey Lane (Eisenman / Nowak). Motion carried 3-0. Chairman Jerabek to contact RM Masonry LLC on scope of repair.

- **Drake Lane Culvert Pipe Replacement:** Prices received from Kew County and Champion Excavating for replacement of culvert, overflows in Spring and does not drain water. Motion made to have Champion Excavating to replace Drake Lane culvert contingent on proof of proper insurance (Nowak / Eisenman). Motion carried 3-0. Supervisor Nowak to check with contractor on insurance.

- **Cherry Road Stop Sign at County S Replacement:** Stop sign reported down on Cherry Road / County S; Chairman authorized Kew County to replace sign.

- **Oak Road Stop Ahead Sign at Pheasant Road Replacement:** Motion made to approve replacement of Stop Ahead Sign on Oak Rd (Nowak / Eisenman). Motion carried 3-0.

- **Broken Skull Address Signs:** Motion made to have Chairman Jerabek purchase new heavy-duty sign posts (Nowak / Eisenman). Motion carried 3-0.

b. 2021 American Rescue Plan (ARPA): ARPA calculator to figure revenue loss available which may possibly be used for road repair. Election worker hazard pay to be discussed next month.

c. Groundwater Surface Water Protection Report & Recommendations (GSWPRR):

- **Language Revision:** Plan Commission Chairman Sagrillo reviewed the edits to the Groundwater and Surface Water Report and Recommendations that Supervisor Novak wished to make. The first edit was to delete the sentence on page 42 of the report which stated “These farms represent only those operations that submit a manure management plan to the Land and Water Conservation Department for the purpose of complying with Wisconsin’s Farmland Preservation Program.” Supervisor Nowak affirmed that he was satisfied with the removal of that sentence.

- **Animal Units Table:** The second edit was to change the name “Andy Nowak” to “Jordan Nowak” in the table titled “Farms in Lincoln Township” on page 43. Supervisor Nowak affirmed that that was the change he wished to make.

- Chairman Jerabek directed Sagrillo to make the changes and bring them back to the October town board meeting for approval.

- **d. Going Garbage Fee Increase:** Increase in ToL residents’ monthly rate from \$15.85 to \$16.23 as outlined in agreement with the Town of Lincoln; has been listed on ToL website. Complaint received by Chairman of no pick up on week of 9.2.21 on Black Ash Rd (was picked up by 8pm due to equipment issue). Supervisor Eisenman to now be the contact person for ToL garbage/recycle issues. Strnad reviewed a list of delinquent special assessments for garbage due to delinquent property taxes. ToL does not receive payment of special assessments until Kew County receives payment. \$2400 ToL is owed for special assessment; Chairman to contact WTA for advice.

e. Grass Cutting at Town Hall: Kevin Kotarek has agreed to cut grass at Town Hall. ToL to provide a gas card for appreciation and include Kotarek’s name on donation plaque.

X. Board Discussion:

a. Hawk Road Town Owned Property as Possible Lease for Hunting: Hawk Road offer received to purchase 1st parcel; update next month. 2nd parcel discussed if possible to lease for hunting; input on leasing will be requested in tax stuffer.

b. Passing Lines on Spruce Road: Chairman Jerabek researched cost of painting passing lines for budgeting; Spruce Rd from County S to Finch Rd estimated \$1700 by Kew County. Board will keep in mind for 2022 budget.

c. Reduced Speed Limit of 45 mph on County Road S: Lincoln to Euren: No notice of speed limit was received by ToL Chairman. Todd Every of Kew Hwy Dept. returned Chairman’s call and County Supervisor Guilette provided topic information found in June 24 meeting minutes.

XI. Public Comment: (Cochart) Had contact w/ Don Cochart family; they are opposed to allowing hunting on ToL owned parcel on Hawk Rd due to owning connecting property which is used for family camping. Wonders about Hawk Rd haulers; trucks are meeting both way. Truck damaged wires on resident’s home resulting in loss of power for 20 families in ToL. Feels painted passing lines will provide safety on Spruce Rd. Re: Turkey Lane, roads are maintained by ToL and residents give up rights on road work when it becomes a town road. (Vicki Alberts) Wondered what next step is if ELNA Farms does not pay remaining \$10,000 by May 1, 2022? Noted road repairs due to farms are costing ToL residents. (Jesse Jerabek) Would be in favor of legal action if ELNA Farms’ payment is not received by May 1, 2022. Per State statute, ToL is able to seek up to 3x the cost of damages on roads. Feels hesitant to award bids on road work if road maintenance budget is not certain. Board has tried to be a good neighbor. (Parins) Noted ToL Zoning Ordinance grants authority to ToL to collect fines for late violation charges such as permitting and road damage. Questioned if \$15,000 payment over 3 years from ELNA Farms is required to be used on Cedar Rd or can the ToL reduce Cedar Rd to gravel and use remainder of money on other ToL roads. (Vincent) Asked for clarification on whether Kew Cty would automatically do Drake Rd culvert if Champion Excavating does not have proper insurance. (*Chairman Jerabek answered in the negative per the motion made.*)

XII. Agenda Items for Next Meeting 11.1.21: Road Issues: LRIP: Cedar Rd Damage Payment/ Webinar Review / 2 Year Town Rd Plan/ IOH/Black Ash Road Damage; 2021 ARPA; Election Worker Hazard Pay; Nutrient Management Plan Table/ Language Revisions in GSWRR; Town Hall Septic System Insulation; Town Hall Foundation Protection; Outside Tools for Town Hall; Disposal of Animals; Hawk Rd Offer to Purchase; Leasing of Hawk Rd Property; Budget Meeting Date; Tax Stuffer. Motion made to add October agenda item “Future of Plan Commission” (Nowak / Eisenman). Discussion before vote: After review of proper process for addition of an agenda item, Chairman Jerabek asked if this motion was specific enough per WTA July magazine article. Questioned whether a member of the public would understand what BoS is voting on and if a PC member would know what to bring to a meeting: are we talking about goals or replacement per term? If State statues are not followed, ToL is open to legal ramifications. (Amended) Motion made to add to October agenda item “Fate of Plan Commission Members Removal” (Nowak / Eisenman). Discussion before vote: Chairman Jerabek stated he hoped there will be a plan ready if Plan Commission removal is made. With the possibility of a very large farm operation project in future and a lot of work to be done, people need to be ready to work. Stated if something goes wrong there will be a lot of questions asked from the public. Noted the work of the PC has been outstanding and fair in last 10 years. Motion carried 2-0; Jerabek voted nay.

XIII. Bills: September bills were reviewed & check register signed by Board of Supervisors. Motion made to approve September bills (Nowak/ Eisenman). Motion carried 3-0.

XIV. Adjournment: 9:15pm. Motion made to adjourn (Nowak/ Eisenman). Motion carried 3-0.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon