

Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, January 3, 2022

I. The regular meeting was called to order at 7:00p.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, Mick Sagrillo, Lynda Cochart, Jenny Nowak, Dick Bultman, Nick Guillette, County Supervisor, and Kew County Corporation Counsel, Jeffrey Wisnicky.

II. **January 3, 2022 Agenda:** Motion made to approve January 3, 2022 agenda as submitted (Nowak/ Eisenman). Motion carried 3-0.

III. **October 11, 2021 Special Meeting minutes:** Motion made to approve the October 11, 2021 Special Meeting minutes as submitted (Nowak/ Eisenman). Motion carried 3-0. **December 6, 2021 Regular BoS meeting minutes:** Motion made to approve the December 6, 2021 meeting minutes as submitted (Nowak/ Eisenman). Motion carried 3-0.

IV. **Treasurer's Report:** Strnad gave report on ToL Income/Interest, Checking, CD, Savings, & Loan accounts. Strnad received notice for need of garbage / recycling refunds from R. Kinnard. Taxes are now able to be paid electronically by State statute; Strnad must be notified of electronic filing. Motion made to approve Treasurer's Report as submitted (Nowak/ Eisenman). Motion carried 3-0.

V. **Clerk's Report:** Work completed in last month: Dropped off thank you card & \$50 gas card for Kevin Kotarek this month for cutting grass at Town Hall in 2021, completed required County and State end of year revenue reports, filed quarterly DWD report, worked on 2021 W-2s, reviewed WTA ARPA webinar, cleaned & met renters for two additional town rentals on December 18th & 19th. Correspondence received: Managed Forest Land report, DNR Managed Forest Land Property Owner Non-Compliance letter, Portal open for ARPA expense reporting, WISC Emergency Management public pamphlets, Tax Rolls Settlement, and GTA State Aids award.

VI. **Kewaunee County Circuit Court Judge Candidate, Jeffrey Wisnicky:** Wisnicky gave his Kew County Circuit Court Judge candidate information for Spring Election and was available for any public comments/questions.

VII. **County Supervisor's (District 2) Report:** Nick Guillette presented the following report: Resolutions adopted: Redistricting for Kew County; Guillette will now also represent part of Red River Township, Multi-County / State Pharmaceutical Settlement re: opioid outreach, education, etc., Expansion of Rural Broadband with Wisconsin Public Service Commission grant. 2022 Kew County Budget passed. Approval of purchase of three new trucks for Kew Highway Dept. Jail Project has entered phase 3 to include detailed drawings w/ architect; the project will go to referendum for November election re: jail / posts (posts not equal to jobs, one post may actually be 2+ jobs). Sagrillo asked about Wisconsin Public Service Commission Broadband Forward Certification and cost to townships; Guillette will provide any new information. Due to substantial rise in costs and shortage of EMT workers, Chairman Jerabek requested Guillette look into options of Kew County facilitating Algoma, Luxemburg, and Kewaunee Fire & Rescue agencies working together from a central hub rather than separately to combine manpower & reduce pharmaceutical and equipment costs.

VIII. **Zoning:** PC Chairman Jerabek reported no current zoning issues; there is a 1.17.22 PC Meeting scheduled for L. Sampo rezoning request.

IX. Planning Commission (PC):

a. **PC Chairman Report:** PC meeting scheduled for Site Plan reviews for Kinnard and Kinnard Highland Farms for 1.11.22.

X. **Public Comment:** None. May also be submitted to Town Clerk in writing.

XI. Board Discussion:

a. **FOIA Request and Town Emails:** Clerk read attached letter from J. Parins regarding her FOIA request. Chairman Jerabek noted the three requests found in Parins letter were reasonable and importance of the requests were backed by Wisconsin State Statute 19.34 and WTA legal counsel 2021 magazine article. Jerabek felt the PC could be tasked with working on a ToL Public Records Access Policy and reviewed WTA resources on FOIA requests.

XII. Business:

a. **Road Issues: LRIP: Cedar Road:** Todd Every, Kew County Highway Commissioner, recommended a meeting with ToL officials to work on Local Road Improvement Program asphalt purchase bid request so bids could be opened at February BoS meeting. By purchasing asphalt alone, the LRIP grant monetary requirement would be met.

b. **ToL Road Improvement Plan (TRIP):** If grants are to be applied, for a 2021 ToL Road Improvement Plan must be in place; after November BoS road tour Cedar Road is top 2022 priority for use of TRIP funds, followed tentatively by Pheasant Road in 2023. Remaining 2020/2021 issue is Black Ash Road bridge.

c. **Special Needs Sign @ N9430 Elm Road:** Request made for consideration of Special Needs signs to be installed to slow heavy traffic down if necessary; Chairman Jerabek to finalize cost and materials.

d. **American Rescue Plan (ARPA):** Clerk and Chairman had reviewed ARPA webinar: takeaways on loss of revenue calculator, no final rules yet, and projects approved by 12.31.24 must be completed by 12.31.26.

e. **Town Hall: Purchase of Additional Tables:** Hall renters have asked about availability of additional tables. ARPA funds may be used on tables for social distancing when hosting meetings. Clerk to get prices for next month.

f. **Going Garbage Update:** Supervisor Eisenman picked up set of containers at old Musial property & left them at Town Hall per instruction from Going Garbage. He will also check with Going Garbage on updated pickup list and reimbursement to ToL for P. Andre property. Going Garbage contract is up in April, bids have been requested from two competitors for prices. Supervisor Nowak asked about every other week pick up option. Treasurer Strnad noted there are still properties w/ dumpsters that are still getting charged for containers. Parins noted residents have not complained about Going Garbage, you don't know what you may get from other contractors. L. Cochart noted Going Garbage will pick up containers that are put out late and across the road from property. Containers are to be put out by 6:00am on Thursdays. 2021 Tax bill stuffer listed responsibility of owners to report if they do not need containers.

g. Junk Yards: Dave Walters inquired about purchasing untidy yard property in Rio Creek. Sagrillo noted the untidy property on Elm Rd / Cty X is looking worse.

h. Managed Forest Land (MFL) Letter: The ToL received a letter from the DNR regarding property owner noncompliance with MFL requirements. Chairman Jerabek will follow up with DNR to see what expectations of ToL are.

i. February 2022 Board Meeting Date: Motion made to postpone February 2022 BoS meeting to 2.14.22 (Nowak/ Eisenman). Motion carried 3-0.

j. Snow Plowing:

- **Payment for 2022:** Motion made to pay RM Masonry LLC 2022 (Nowak/ Eisenman). Motion carried 3-0.
- **Comments on Plowing:** Chairman Jerabek received two complaints from same party (12.27.21) nothing plowed yet and later that Pheasant Road was icy. Jerabek noted no roads in area were plowed at that time of morning. A request for salt was made for another road. Ron McClure will address issues and noted in email that he had contacted the former Chairman for guidance: County considered main roads with hills / woods to be Spruce and Tamarack Roads, McClure will also add Pheasant Road and is happy to apply salt / sand and plow any roads early in ToL that the Board advises him, does not want to favor certain businesses in township but does prioritize large farm roads so employees can make it to work, then finishes up when snow quits. Some areas may need to be pretreated w/ salt. Any member of the public may contact the members of the Board with concerns on road conditions so they may contact McClure. Sod has been dug up at Spruce & Cardinal and Cherry / Cty S.

XIII. Public Comment: May also be submitted to Town Clerk in writing. (Sagrillo) Reviewed comments made by Supervisor Eisenman at the last meeting re: “vulgarity” and “worked up people” at PC meetings Sagrillo chaired. Sagrillo asked both Joe Jerabek, Zoning Administrator, and Mary Ann Salmon, Town Clerk, if each had ever experienced “vulgarity” or “a lot of worked up people” at PC meetings Sagrillo chaired; both responded in the negative. Jerabek noted at a Town Board Meeting, Sagrillo did call B.S. in reference to L. Fenendael comments, where Sagrillo did later publically apologize. Sagrillo stated at start of PC meetings, he made it known vulgarity or disrespect would not be allowed, but did receive feedback re: a 2021 PC meeting, where he was not present, that Scott Fenendael was quite worked up prior to his scheduled Site Plan Review and consequential postponement. Sagrillo noted he later met with S. Fenendael, Zoning Administrator Jerabek, and Chairman Jerabek to explain what was needed to rectify delinquencies for residential occupancy / Site Plan and met with engineer, John Roach re: S. Fenendael’s pig farm project which resulted in a smooth Site Plan review. Sagrillo also noted Lonnie Fenendael was annoyed with, but not worked up about, PC questions in 2020 re: Pheasant Rd farm and CUP/Livestock Siting Permit. Engineer John Roach was quite professional in answering those PC questions. There were only two situations over the years that Sagrillo could think of that a lot of people were worked up at PC meetings. Sagrillo noted his availability to discuss issues and passed on advice to Eisenman re: when dealing with the public, extraordinary claims require extraordinary evidence otherwise you quickly lose credibility in the eyes of the public. (Parins) Commented that last month after witnessing the Town Clerk try to explain to Supervisor Nowak how the website software worked brought back the numerous times over the last almost 3 years that false information was brought by Nowak and when provided with truth and evidence, he just could not comprehend the facts of the matter at hand. It is clear to me that Supervisor Nowak does not have the capability of being able to understand whether it be re: meeting requests, sign ordinance, or accounting systems. Parins asked, “Supervisor Nowak, respectfully request that you do what is best for the Town of Lincoln and resign your position of Supervisor. Will you do that?” (Jesse Jerabek) Plan on meeting with property owner at E3764 County Road K re: Land & Water violations.

XIV. Agenda Items for Next Meeting 2.14.22: TRIP / LRIP/ Bid Opening; ARPA; Going Garbage Update; Town Hall Tables; E3764 County Road K Land & Water Violations; Managed Forest Land (MFL) Letter

XV. Bills: January 2022 bills were reviewed & check register signed by Board of Supervisors. Motion made to approve January 2022 bills (Eisenman / Nowak). Motion carried 3-0.

XVI. Adjournment: 8:41pm. Motion made to adjourn (Eisenman / Nowak). Motion carried 3-0.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon