

Town of Lincoln: ToL Board of Supervisors Regular Meeting Minutes, Monday, September 12, 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/Zoning Administrator, Lee Kinnard, Lynda Cochart, Nick Guilette, County Supervisor, and Mick Sagrillo, PC Chairman. Minutes to be taken by Town Clerk, Mary Ann Salmon.

II. **September 12, 2022 Agenda:** Motion made to approve September 12, 2022 agenda as submitted (Nowak/ Eisenman). Motion carried 3-0.

III. **Approval of Meeting Minutes:** Motion made to approve the August 1, 2022 Regular Meeting minutes as submitted (Nowak/ Eisenman). Motion carried 3-0. Motion made to approve the July 28, 2022 Special Meeting minutes as submitted with attendance to include JJ Pagel and Susan LaCrosse (Nowak/ Eisenman). Motion carried 3-0.

IV. **Treasurer's Report:** Strnad gave report on ToL Income/Interest, Checking, CD, Savings, & Loan accounts. Motion made to approve Treasurer's Report as submitted (Nowak/ Eisenman). Motion carried 3-0.

V. **Clerk's Report:** Work completed in last month: supervised 8.9.22 election: 190 voters out of 566 registered, processed 27 out of 43 absentee ballots sent, did weeding & weed-trimming of town hall property / sign, submitted invoice twice to Town of Ahnapee for their portion of Hickory Drive work, mailed BoS letter to Kinnard farms re: monitoring well, worked on getting .wi.gov email/domain with Inter-Quest Corp, sent out Fire / EMS invoices to residents for reimbursement, reposted revised Clean Sweep and returned four special assessment letters. Correspondence received: August & September WTA magazines, January 2022 Census report for Lincoln = 931 residents, WTA Salary Survey, Town Web Design website upgrade, MFL Program municipality list notice, Scott Construction thank you and survey on work completed, Ayres' Bridge Inspection Report, and Bay Lakes Regional Planning Commission 2022 Community Project Survey.

VI. **Town Chairman's Report:** Chairman Jerabek reviewed tasks he completed over last month: Spoke w/ Todd Every about Cedar Rd storm drain replacement and dead deer pickup, spoke w/ Troy Robillard about Cedar Rd and spent 8-10 hours on grant submission for 90% reimbursement for Cedar Rd project cost, talked to Srnka Farms & Elna Farms re: Pheasant Rd and taking wider turns w/ equipment to protect new work, attended WTA meeting with other ToL Supervisors, forwarded information on fallen trees to WTA, scanned Clean Sweep flyer to Clerk to put on ToL website, answered call from J. Kinnard on redoing tiling on Pheasant Rd, received M. Beaurain document for septic system, instructed J. Schley to have County to do 2nd ditch cutting, updated resident on 2nd ditch cutting, signed letter re: .wi.gov domain, and received call from Treasurer about receipt of reimbursement for road project.

VII. **County Supervisor's (District 2) Report:** Nick Guilette reported on last month's County Board meeting: a resolution was passed approving body cameras (partially covered by a grant), 9.13.22 County Board meeting will cover resolution for skid steer replacement, amendment to Bug Tussel contract, and possible resolution for additional Bug Tussel project. 9.12.22 Executive Committee meeting will address County employees still working remotely since Covid closure of offices.

VIII. Zoning:

a. **Rezoning Request:** M. Sagrillo reviewed PC Meeting and Public Hearing held on 8.24.22 PC meeting where rezoning request from Jill Jeanquart /Jordon and Kristen Van Pay was heard to zone approximately 3 acres from A-1 Agricultural to Rs-1 Rural Residential and remaining 17 acres to be zoned to A- 2 Agricultural in accordance with the requirements of the ordinance. The parcel is located near N8789 County Road C, Casco. No input was received at Public Hearing. PC voted to approve rezoning of both parcels and moved to recommend for approval to BoS with one condition: on survey of 17 acres: accommodations (lane leading to parcel) to be made to allow for access to 17 acres since land locked parcels are not allowed in County or ToL Zoning Ordinance / Comprehensive Plan. BoS reviewed Rezoning Request Action Report. Motion made to approve rezoning of 3 of 20 acres from A-1 Agricultural to Rs-1 Rural Residential with condition of accommodations be made to allow for access for 17 acres parcel (Nowak/Eisenman). Motion carried 3-0. Motion made to rezone remaining 17 acres to A- 2 Agricultural (Nowak/Eisenman). Motion carried 3-0. Board voted 3-0 in favor of accepting the PC facts and findings, the PC Action Report and the Board of Supervisors Action Report on this rezoning request. Chairman Jerabek will get house number for the Van Pays.

b. **Conditional Use Permit: Kinnard Farms, Inc.** PC held a Conditional Use Permit (CUP) Hearing on 9.12.22 to take public input on proposed Feed Center for Kinnard Farms, Inc. (KFI). The Plan Commission finalized the Conditional Use Permit for KFI and made a recommendation to the Town Board in favor of adoption of the CUP. Chairman Jerabek noted per meeting that the orientation of building would be switched due to WPS request. BoS reviewed KFI CUP Action Report and Board approved CUP Action Report by vote of 3-0. Chairman Jerabek noted CUP stated Kinnard Farms, Inc. will be responsible for any damage to Spruce Rd resulting from boring under road. Motion made to approve CUP for Kinnard Farms, Inc. for Feed Center (Eisenman/ Nowak). Motion carried 3-0.

IX. **Planning Commission (PC): PC Chairman Report:** M. Sagrillo reviewed 8.24.22 PC meeting and public hearing for Van Pay rezoning and 9.12.22 PC meeting and public hearing on CUP for Feed Center for Kinnard Farms Inc. Sagrillo commented that Lee Kinnard has process for CUPs down. Susan LaCrosse had a question on setback for Dairy Dreams feed pad, thought ToL was misinterpreting setbacks in Zoning Ordinance (ZO). Sagrillo discussed w/ Joe Jerabek and Brandon Robinson, ultimately agreeing with LaCrosse. Robinson said ToL needs to update ZO for setbacks on items like feed pads, runoff from roofs, and storage (non-manure). Sagrillo, Joe Jerabek and Board reviewed State Statute and DATCP requirements.

X. **Public Comment:** Chairman Jerabek noted results of well test at Town Hall as safe to use with no bacteria and nitrate level of .03.

XI. Board Discussion:

a. PC Chairman Compensation: Discussion on the many hours spent by PC Chairman Sagrillo on Dairy Dreams project over June/July, the amount of time and money saved for BoS & PC members / meetings by Sagrillo's preparation, and how to fairly compensate PC Chairmen when hours go beyond what is normally expected for position. Fees collected for permits and site plans could be used to offset PC Chairman compensation for projects heavy in hours. Chairman Jerabek was in favor of extra PC Chairman compensation per task based on Sagrillo's past preparation before BoS / PC meetings and hearings and how fair he attempts to be to serve all ToL residents. 22 of 36.5 hours of PC Chairman's hours in June/July were spent on Dairy Dreams project. Jerabek asked if \$440 is a fair amount for the time Sagrillo saved in PC meetings and member wages and work the board doesn't have to do based on all the free hours Sagrillo puts in. Supervisor Eisenman suggested checking on what other Towns pay for PC Chairman. Supervisor Nowak suggested putting a cap on hours, stating based on 275-300 hours that is \$6,000/year. Sagrillo is not seeking compensation for all hourly work performed, only for tasks requiring hours that go beyond what is normally expected of PC Chairman position, stating PC member compensation is \$40 per meeting (2 hour mtg) and he has been accountable with all past and present BoS, giving annual reports of PC accomplishments and hours worked. Annually he puts in approximately 275-300 hours of work beyond scheduled PC meetings and had 7-8 hours alone spent on Kinnard Farms Inc. CUP most recently. Both Sagrillo and Jerabek noted the difficulty of finding a replacement to take over the PC Chairman position. Nowak stated at hearing Sagrillo asked the same question multiple times for total amount of gallons that were getting dumped, and in his opinion it seems like Sagrillo is dragging these meetings out and he isn't hearing a word they are saying, but agrees Sagrillo may do a lot of homework ahead of time. Jerabek noted Sagrillo did ask the same question multiple times and in fact the answer in gallons changed each time, going from 32,000 to 65,000 with the final number at 80,000. Sagrillo told Dairy Dreams not to sugar coat the numbers, politely trying to guide applicant towards some wiggle room, which in the end helped them w/ opportunity to restate number so additional permits would not have to be requested if 32,000 gallons were exceeded. Chairman Jerabek stated he could decide what special task would be appropriate, one Board member could decide, or the whole Board could call a special meeting to decide. Discussion tabled until next month.

b. Meeting Minutes' Level of Detail: Discussion on what to include for meeting minutes for public comment. Supervisor Eisenman stated Roberts Rules and Jurassic Parliament recommends do not list detailed public comment, list what was done, not what was said, thinks this makes ToL look bad. Town Clerk reiterated that she does not want to have lengthy meeting minutes, but over the past 2-3 years volatile meetings have required this to be fair to all parties involved. Chairman Jerabek stated public comment cannot be limited, except for time allowed, feels including more in minutes may be better since all parties are represented fairly and falsehoods can be debunked and included in minutes, and agreed that Clerk cannot and does not editorialize meeting minutes. Chairman Jerabek invited Supervisors to make a motion on what is included in meeting minutes re: public comment. Supervisor Nowak asked if written public comment could be removed from agenda, stating if residents have something to say they can come to meetings.

XII. Business:

a. ToL Road Issues: (LRIP/BIL): Cedar Road project completed and 90% reimbursement for asphalt purchase has been received. No other grant applications are currently outstanding.

b. Pheasant Road: Work is complete; Scott Construction follow-up survey received, Chairman Jerabek to complete.

c. Black Ash Rd Right-of-Way Berms: Supervisor Eisenman visited site, did not see any water obstruction, and spoke with S. Srnka who was instructed by DNR to add sand, but said it was cleaned up already. Chairman Jerabek stated there are two big sand piles yet last month and area should be restored to prior condition and permission must be granted if materials are added to right-of-ways

d. Robin Lane: Monitor Well in Right-of-Way: Kinnard Farms Inc. put in a new well, no further action needed.

e. WISLR Local Certification: Chairman Jerabek reviewed maps and forms he competed for WISLR Certification along with road improvements in last year.

f. Ditch Cutting: 2nd Ditch cutting is completed.

g. PC Chairman Compensation: Next month.

h. ARPA Compliance Update: Chairman Jerabek has been keeping an eye on changes.

i. L-C Fire & Rescue Meeting Update: Next month.

XIII. Agenda Items for Next Meeting 10.3.22: LRIP/ BIL; PC Chairman Compensation; November Budget Meeting Date; L-C Fire & Rescue Meeting Update; ARPA Compliance; Bridge Inspection

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

XV. Adjournment: 8:59pm. Motion made to adjourn (Eisenman/ Nowak). Motion carried 3-0.

Respectfully submitted by Town of Lincoln Clerk, Mary Ann Salmon