

**TOWN OF OSCEOLA
BOARD OF SUPERVISORS MEETING
Tuesday July 5, 2016**

MINUTES

The Board of Supervisors of the Town of Osceola met for a regular monthly meeting Tuesday July 5, 2016 at 7:00 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

CHAIRMAN SCHMIDT CALLED THE MEETING TO ORDER AT 7:00 P.M.

Chairman Schmidt verified that the meeting agenda had been posted Monday June 27th at the Town Hall, the Dresser Post Office, First National Community Bank and the Town of Osceola Website. A complimentary meeting notice was also sent to The Sun for publication.

Chairman Schmidt led the PLEDGE OF ALLEGIANCE.

ROLL CALL:

PRESENT: Doug Schmidt, Mike Wallis and Dan Burch

ABSENT:

ALSO PRESENT: Lorraine Rugroden – Clerk/Treasurer, Evan Wright, Warren Johnson, Jim Rochford, Gary Verhasselt, Suzanne Lindgren and Bob Wright

PRESENTATION OF BILLS: Check numbers 15256 through 15282 have been approved for payment by Supervisor Burch and Chairman Schmidt, totaling \$66,814.75. Supervisor Wallis will finish auditing the bills following the meeting.

AGENDA:

MOVED AND SECONDED BY WALLIS/BURCH TO APPROVE THE JULY 5, 2016 TOWN BOARD MEETING AGENDA. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT:

None

MOVED AND SECONDED BY BURCH/WALLIS TO AMEND THE SECOND MOTION IN THE MINUTES TO CHANGE WALLIS TO BURCH AND APPROVE THE MINUTES OF THE JUNE 7, 2016 REGULAR TOWN BOARD MINUTES. MOTION CARRIED UNANIMOUSLY.

Verhasselt Lot Division Located at 2393 State HWY 35 in the NW ¼ of the SW ¼, Sec. 18, T.33N., R.18W., Town of Osceola.

Gary Verhasselt was on hand to answer questions the board had regarding his proposed minor lot division. Gary Verhasselt owns the property located at 2393 State HWY 35, in the NW ¼ of the SW ¼, Sec 18/T33N/R18W, Town of Osceola. He is proposing to lot off 3.48 acres and create lot 6. The property will be accessed by way of a 66-foot private road easement off of 240th Street. The parcel is zoned commercial and Viking Gas Transmission runs through the property. Gary said this lot division had previously been approved four years ago before deciding to unrecord it. He is now redoing what he had done previously.

MOVED AND SECONDED BY WALLIS/BURCH TO APPROVE THE VERHASSELT LOT DIVISION IN SECTION 18, T33N, R18W IN THE TOWN OF OSCEOLA. MOTION CARRIED UNANIMOUSLY.

County check list was signed by the board.

United to Amend Ballot Initiative

Representing United to Amend, Evan Wright was back after speaking during public comment at the June 7th Town Board meeting. He asked the board to approve an advisory question concerning corporate personhood rights and the corrupting influence of unregulated campaign spending, to be included on the November 8, 2016 ballot for the Town of Osceola. Language requested on the ballot included:

Resolved, that “We the People” of the Town of Osceola, Wisconsin, seek to reclaim democracy from the expansion of corporate personhood rights and the corrupting influence of unregulated political contributions and spending. We stand with communities across the country to support passage of an amendment to the United States Constitution stating:

1. Only human beings are endowed with constitutional rights – not corporations, unions, nonprofits or other artificial entities, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting speech.

Carole Wondra, County Clerk estimated that a change to the November ballot could cost the town \$500 - \$600 or more depending on how many ballots are needed. She said right now the county covers the ballot cost for all municipalities, but if a municipality were to change the ballot by adding a referendum, that municipality would be charged the cost of adding it. The Board was reluctant to approve the added spending.

Chairman Schmidt stated that while he supports what they are driving at, he does not support opening up the constitution of the United States to the “yoo-hoos we have in Washington right now.” He went on to say that while he thinks it’s great what they’re doing, he didn’t want the people in Washington to go near the United States Constitution and change whatever they want. Wright said the constitution has been amended 27 times and it has not opened the flood gates for multiple amendments. He noted that “the constitution has been amended to abolish slavery and to give blacks and women the right to vote,” and that there needs to be a two-thirds majority vote in Congress in order for the amendment to pass. Wright went on to say if it were a partisan issue, it would most likely not get a two-thirds majority vote.

Supervisor Wallis asked if a referendum could be voted on at the county level instead. Wright said the goal is to gain local support before going to higher levels of government (county, state and federal). Wright said the town could pass a resolution without a referendum, but it would hold less weight in the eyes of the legislators.

Wright said they would like to act this year because the voter turnout at the November election is expected to be high. Supervisor Burch stated he wishes it would have come before the board sooner and noted that budget wise he has concerns. The board agreed that they are willing to bring it before the electorate at the April Town Meeting where an advisory vote could prompt the board to take action by signing a resolution to amend the constitution.

Haas Quarry Request

Haas and Sons, owners of the gravel pit at Lotus Lake, are asking if the town would approve Haas coming in and crushing the reclamation material at the pit before hauling it out and closing the pit. They estimate the crushing will take 3 – 4 days. The Haas permit was approved on March 26, 2015 after they stated the only thing that would be done at the pit is hauling and restoration. The board discussed how to go about handling this request and questioned if they are able to amend the permit. Chapter 14 Nonmetallic Mining Ordinance will be reviewed and Wisconsin Towns Association will be contacted to determine if the town will need to call a public hearing. Haas will be contacted to gain more information on their request. Haas said they are willing to sell some of the crushed rock to the town.

Resolution 16-03 Concerning Approval of the Polk County Zoning Ordinance, A Comprehensive Revision

The Polk County Board of Supervisors voted on September 15, 2015 to enact the Polk County Comprehensive Land Use Ordinance. At that point the town had one year to decide if they wanted to be a part of county zoning or go on their own. The Plan Commission worked to analyze both the county zoning ordinance and the draft town zoning ordinance before making a recommendation to the Town Board. At the March 15, 2016 Plan Commission meeting, the Plan Commission voted to recommend to the Town Board to go with county zoning by a vote of 6 for county zoning, 0 for town zoning and 1 abstained. The Town Board has until September 15, 2016 to vote if they will approve county zoning.

Chairman Schmidt mentioned the potential costs to implement town zoning, as well potential legal fees. He did not want to see the town set back because of the costs.

Supervisor Wallis was reluctant to take action before the amendment the Plan Commission had requested to be changed in the Polk County Comprehensive Land Use Ordinance could be voted on by the Polk County Board of Supervisors. The amendment changes an “or” to an “and” in the Mining (M1) District language.

Supervisor Burch agreed that fiscally Polk County zoning is the right thing to do. He would also have liked to see the amendment approved before voting.

Chairman Schmidt asked if they were going to ignore the vote of the Plan Commission. Supervisor Wallis stated it was a timing issue and he would not hold it up.

MOVED, SECONDED BY SCHMIDT/BURCH TO APPROVE RESOLUTION 16-03 TO ADOPT THE POLK COUNTY ZONING ORDINANCE, A COMPREHENSIVE REVISION EFFECTIVE SEPTEMBER 15, 2016. ROLL CALL VOTE: SCHMIDT YEA, BURCH YEA, WALLIS YEA. MOTION CARRIED UNANIMOUSLY

Convert Partial Storage Building to Salt Storage Shed

Paul Baker has compiled estimates of materials and work needed to complete the salt storage shed. The cost is expected to be about \$4,066. A trailer, plow and mower, that were no longer being used, were sold totaling \$2,500, to help pay for the salt shed. Half of the cold storage building will be renovated for salt storage. The Board discussed the project before making the following motion.

MOVED, SECONDED BY BURCH/WALLIS TO APPROVE THE ESTIMATE FOR THE SALT STORAGE SHED NOT TO EXCEED \$1,800. MOTION CARRIED UNANIMOUSLY.

2016 Road Work

The board reviewed the 2016 road work summary listing projects approved for work, projects that have been completed and those that have been paid to date.

5 Year Road Plan

Supervisor Burch stated that the five year road plan are assessments that are fluid and are going to change over time. He wants the road plan to be structured and the board to stick to a plan instead of doing other projects that weren't previously discussed or planned out. He emphasized that funding for improvements need be based on necessity. Supervisor Burch was referring to the Behning Creek project that was discussed at the last several meetings after a vehicle got stuck during the spring thaw and the road had to be closed for several weeks due to the softness of the road. An estimate was requested for putting fabric down to make the soft spots more stable instead of just putting down gravel each year. Supervisor Burch said he does not want to spend a lot of money on a road that only has two houses.

Supervisor Wallis noted that the town has 62 miles of roads and if each road lasts about 30 years, that means that the town should be blacktopping 2 miles of roads a year in order to keep up.

PLAN COMMISSION REPORT:

- The Plan Commission agenda for the July 12th meeting will include discussion and possible reconsideration of the proposed new zoning map for the Town of Osceola
- A Public Hearing on proposed new zoning map is set for July 25, 2016 at 6:30 p.m.

PUBLIC WORKS REPORT:

- First round of mowing has been completed.

CHAIRMAN'S REPORT:

- Public Hearing on Proposed Amendments to Chapter 10 Polk County Zoning Ordinance on July 6, 2016 at 9:15 a.m.
- Paul Baker is getting estimates for steps at the Easement at Sand Lake

Supervisor Mike Wallis

- The June 18, 2016 boundary agreement meeting was a combined meeting with the Village of Dresser Board and the Town of Osceola Board. Both boards were filled in on what the boundary agreement committee has been working on.

Supervisor Dan Burch

- The next Ambulance Board meeting will be in August.
- The DOG Fire Board Meeting will be held July 21, 2016 at the Alden Town Hall.
- A thank you to those who donated to the Spaghetti Diner was published in The Sun's April 13th issue and in other local papers.

CLERK-TREASURER'S REPORT:

Clerk-Treasurer Lorraine Rugroden reported that as of June 30, 2016 bank account balances were 9,782.61 in the Town's checking account and \$226,099.46 in the Regular Money Market Account and C/D's and \$248,714.71 in the tax deposit account, amounting to total Cash-on-hand of \$499,602.26.

NEXT MEETINGS:

Tuesday, August 2, 2016 Town Board Meeting

Town Board Meeting Agenda:

- 2016 Road Work
- Sand Lake Stairs
- Dog Issue

ADJOURNMENT:

MOVED, SECONDED BY WALLIS/BURCH TO ADJOURN THE JULY 5, 2016 TOWN BOARD MEETING. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Board, the Meeting was adjourned at 8:27 p.m.

APPROVED: 8/2/2016

Lorraine Rugroden, Clerk/Treasurer