

TOWN OF OSCEOLA

ANNUAL TOWN MEETING

Tuesday, April 19, 2022 — 6:30 p.m.

Meeting Minutes

The 2022 Annual Town Meeting of the Town of Osceola was held on Tuesday, April 19, 2022, at 6:30 p.m. at the Osceola Town Hall, Dresser, Wisconsin.

PRESENT: Chairman Dale Lindh, Supervisor Jon Cronick, Supervisor Bernie Desmarais, Supervisor Jo Everson, Supervisor Debbie Thompson, and outgoing Supervisor Neil Gustafson.

Staff attending were: Public Works Supervisor Todd Raddatz, Public Works employee Joe Gaffney, Town Treasurer Jan Carlson, and Town Clerk Denise Skjerven.

PUBLIC ATTENDEES: Paul Mahler (Town's Attorney), Glyn Thorman, Jim & Donna Berg, Ed Everson, Mark Skjerven, David Peterson, Jamie Tinney, Merle & Dianne Aarthun, Rebekah Gustafson, Jeffrey Masek, Shay Rysdam, Kirk & Trish Carlson, Chad Oye, Heather Raddatz, Darel Hall (Animal Control), James (Nick) Semmens, Ben Wasmund (Lakes Region EMS), Dan & Suzy Burch, Dan & Keri Nelson, Mike & Beth Colaizy, Tom & Gae Magnafici, Mark Kuhl, Brian & Allison Will, Judy Juneski, Brad Bearson, Al Bader, Jim & Rhonda Dunham, Jim Brundage, Tom & Jane Bean, Nicholas Juneski, Mike & Jeanette Rochford, Jerry Waller, Melissa Ward, Brad Hoverman, Sandra Ball, Kim Kaiser, John Solrud, Warren Johnson, Teresa Utke, Diana Anderson, Kirk Johnson, Angel Olson, Mike & Teri Wallis, Linnaea Wallis, Mark Ferrell, Kelly Kneath, Ben Campbell (Building Inspector), Peter Arneson, Stacy Wright, Kim Benson, Rick Erickson, Jake Thompson, Tony & Tasha Havranek, Aaron & Sonja Degerstrom, Joel Getschel, Bob & Kim Wright, Evan Wright, Chris Wahlstrom, Monica LaVigne, Trudy Lorenz, Terry & Bonnie Demulling, Curt Millermon, Kevin McNutt, Debra & Ken Wood, William & Marianna Schultz, Barbara Delaney, Steve & Deborah Kinzer, Therese Durkin, Josh & Lisa Marincel, David Dudash.

CHAIRMAN LINDH CALLED THE MEETING TO ORDER AT 6:30 P.M.

VERIFICATION OF MEETING POSTING: Clerk Skjerven confirmed that the notice was posted at the Town Hall, Dresser Post Office, the First Community National Bank, the Town Web Site, and the Town Facebook page.

Chairman Lindh led the Pledge of Allegiance.

ROLL CALL AND INTRODUCTION OF NEW BOARD MEMBER

ROLL CALL: Chairman Lindh, Supervisor Desmarais, Supervisor Everson, Supervisor Cronick, Supervisor Gustafson, Supervisor Thompson were all present. Chair Lindh introduced the new Town Supervisor, **Debbie Thompson**. Chair Lindh introduced each member as well as the Staff in attendance.

Chair Lindh briefly commented that he thought many attendees could be present to hear a decision regarding new mining proposals which was listed on the agenda. However, Lindh pointed out the Board was not going to be making any decisions at the meeting on this topic. The topic is on the agenda to merely close out a motion made at the April 20, 2021 Annual Town Meeting.

REGULAR REPORTS AND BUSINESS

1. Approve Minutes of the April 20, 2021 Annual Meeting. **Motion by Jo Everson / Second by Neil Gustafson to approve the 2021 annual meeting minutes. Motion carried.**
2. **Chairman's Report.** Chair Lindh provided a report, and highlighted:
 - a. A history of the Town's levied property taxes, which for many years was only increased annually at the rate of new construction and assessed valuation. The budget for 2019 increased by \$75,000.00 for road improvements. There was a levy decrease of \$41,864.00 for 2020, and for 2021 the Mill Rate increased 54.205 when raised to \$2.86. The \$282,087 was to support road improvements. The largest levy expense area was Public Works (54%), followed by Public Safety (21%), General Government (19%) and Development & Planning (6%).
 - b. The year-end cash balance was high due primarily to having \$114,000 of highway capital that was moved into 2021, plus \$151,141 of American Rescue Plan Act(ARPA) funds, and \$50,000 for future purchases of public works equipment.
 - c. Previous Public Works Supervisor Tony Johnson resigned, and Todd Raddatz was hired as his replacement.
 - d. Town road miles are 63.13.
 - e. The Town maintains three properties for mowing: Town Hall, Dwight Lake , and Sand Lake.
 - f. The Town population was estimated to be 2,941 with 2,065 estimated to be of voting age.
 - g. The Town had six clerks and two treasurers during 2021, and a number of Board position changes.
 - h. The Town supported Lakeland Communications' grant to expand broadband fiber network with \$80,000 contingent upon Lakeland Communications receiving the public service grant, but was notified in December by Lakeland Communications that the grant was denied.
 - i. New members were appointed to the Plan Commission.
 - j. Technology services were switched to Connecting Point.
 - k. Many of the Town permit fees were increased, effective January 1, 2022.
 - l. Delmore Consulting, of Wisconsin Dells, WI, was hired to perform a PASER rating of the Town roads to determine baseline conditions for 2022 Town road work preparations.

- m. Jan Carlson served as the Town's Tax Collector.
- n. The gopher bounty was set at \$4.00, and the claim form was updated to make sure that the gophers are caught at a property within the Town of Osceola.
- o. The Adopt-a-Road program is always encouraged for participation.

Ed Everson mentioned the Town now has two full-time paid employees in the Town's Public Works and expressed a concern on how the Town is going to pay for having two full-time positions within Public Works and hoped the extra expense would not come out of road repairs. **Motion by Bernie Desmarais / Second by Warren Johnson to accept the Chairman's report. Motion carried.**

2021 ANNUAL FINANCIAL REPORT

Treasurer Jan Carlson presented the financial report from the completed audit. Carlson shared the Assets (\$777,950) and Liability and Fund Balance (\$777,950) as of December 31, 2021, along with a summary of the Revenues and Expenditures for 2021. Also shared was the net change in fund balance, which started 2021 at \$182,376 and increased to \$582,653 at year-end 2021. The \$582,653 fund balance is comprised of Parks & Recreation (\$11,837), Highway Capital Outlay (\$114,000), ARPA funds (\$151,141), and Unassigned (\$305,675), and bank balances as of December 31, 2021 totaled \$582,682. Judy Juneski asked whether the information was available to Town residents and Chair Lindh indicated that, yes, the information is available on the Town's website, under the meeting agenda and materials section. **Motion by Merle Aarthun / Second by Mark Skjerven to accept the 2021 annual financial report. Motion carried.**

PLAN COMMISSION REPORT

Plan Commission Chair Bernie Desmarais reported most activity conducted falls into two main areas:

- (1) How it is often cited the Town follows Polk County zoning and it was quickly learned the Town has ordinances that supersede Polk County's ordinances. It is not correct to say as a Town that the Town follows Polk County zoning. A problem that arises when defaulting to Polk County zoning is that Polk County may issue permits for things that the Town does not want. A letter was recently sent from the Town to the Polk County Zoning Administrator, Jason Kjeseth, Land Information Department, to make sure the Zoning Administrator knows the Town has ordinances that supersedes Polk County ordinances. The Town does not want Polk County issuing permits for properties and land use over which the Town has jurisdiction.
- (2) The Town's Comprehensive Plan is a document waiting to be updated. The current Plan is based on 2010 census data, and the Plan Commission is waiting for 2020 census data to be released at the municipality level, to see how the Town has changed from a population, demographics, etc. standpoint, to see how the new data may affect the Town's Comprehensive Plan. **Motion by Ed Everson / Second by Jo Everson to accept the plan commission report. Motion carried.**

ANIMAL CONTROL OFFICER REPORT

Darel Hall presented a report. Darel is the Animal Humane Officer, Animal Control for the Town as well as for 30 other municipalities in Polk and St. Croix counties. Hall noted a slight increase in the number of complaint calls, mostly from new residents not being familiar with the rules for not being able to just let a dog run free. Four dogs and 1 cat were taken to Arnell Memorial Humane Society in Amery, and one dog had to be euthanized due to an attack which occurred. Hall tends to complaints as quickly as possible. Hall's contact information is noted on the Town's website. **Motion by Jamie Tinney / Second by Tom Bean to accept the animal control officer report. Motion carried.**

BUILDING PERMIT REPORT

Ben Campbell presented a report. Ben reported during 2021 there was a 185% increase of permits issued for new homes (24 from 13 in 2021). The total valuation also increased by 121% (\$8,450,664 from \$6,970,140 in 2021). **Motion by Jane Bean / Second by Tom Bean to accept the building permit report. Motion carried.**

ALLIED EMERGENCY SERVICES REPORT

Curt Millermon was present to provide the yearly summary. For 2021, there were a total of 403 runs, an increase from 368 in 2020. Allied serves 135 square miles, which includes the Town of Osceola, the Town of Garfield, the Village of Dresser, and most of the Town of Alden. In 2018, there was a name change from Dresser, Osceola, Garfield Fire Association to Allied Emergency Services, and there are three fire stations. Allied has 61 responders for fire/rescue and medical emergencies. The recent Spaghetti Dinner fundraiser served between 900-1,000 people. **Motion by Ed Everson / Second by Neil Gustafson to accept the Allied Emergency Services report. Motion carried.**

OSCEOLA AREA AMBULANCE REPORT

Chair Lindh presented highlights from the annual report provided by Osceola Area Ambulance Service: They began providing services in 1974, when they purchased their first ambulance at a cost of \$20,000.00. The communities they served helped by raising money through donations for the ambulance and their equipment. Osceola Area Ambulance Services provides care to the residents of the Village of Osceola (100%), Town of Farmington (100%), Town of Osceola (67%), Village of Dresser (50%), Town of Alden (30%), and a small portion of the Town of Garfield. Their service charges a \$14.00 per person assessment and each community pays an annual amount based on the population it serves. They are an on-call, paid volunteer service with no full-time staff. There were 93 runs in the Town of Osceola with a total of 437 runs for 2021. **Motion by Nick Semmens / Second by Tom Bean to accept the Osceola Area Ambulance report. Motion carried.**

ST. CROIX VALLEY EMERGENCY MEDICAL SERVICE REPORT

Ben Wasmund, Director of Operations for Lakes Region EMS, Inc., was present to provide the report. St. Croix Valley Emergency Medical Services(EMS) has two ambulances, based in Milltown and St. Croix Falls, and they service where Osceola Area Ambulance stops their services, covering portions of Taylors Falls(MN), St. Croix Falls (City and Town), parts of the Village of Dresser, Town of Osceola, north past Milltown and east of Balsam Lake. Calling the Polk County Communications Center (non-emergency line) can help residents to learn which ambulance service they fall under. They are full-time critical care levels, with a paramedic and an EMT on every ambulance run. Their run volume for the Town of Osceola was 20, out of a total run volume for Wisconsin of 2,837 calls, which was reduced from 36 runs the year prior. They give back to the community in a variety of ways such as school drives/donations, scholarship funds, a backpack program, providing a community education space, and many more areas. They also have a Charitable Missions Committee that reviews submissions of need areas. They recently took over medical direction (overseen by a physician) for Polk County communications center so when 911 calls are placed the dispatchers walk through with the caller on what to do until the first responders arrive. St. Croix Valley EMS also collaborated with Frandsen Bank and Trust on the purchase of AEDs for the Polk County Sheriff's office for squad cars. Frandsen Bank and Trust donated 36 AEDs. **Motion by Tom Bean / Second by Kim Benson to accept the St. Croix Valley Emergency Medical Service report. Motion carried.**

UPDATE ON 2021 ANNUAL MEETING DIRECTIVES/MOTIONS

Chairman Lindh covered updates from the 2021 Annual meeting:

- **Contracts for IT Services.** In October 2021 the Town switched to using Connecting Point for IT services, along with 20 Town email addresses. Gmail accounts are no longer being used, but instead are using '@townofosceola.com' email addresses.
- **Accurate Account of Building Inspection Services.** This topic was discussed as a Board in February of 2022 after contacting Ben Campbell the Town's building inspector about his previous inspections.
- **Certification of April 2021 Election Results.** There is an April 2021 Election explanation that was provided in this year's Annual Meeting packet, and the explanation can also be found on the Town's website under Election Results. Included below is the explanation from Chair Lindh:

"As many of you are aware, there were some errors in the initial vote tally during the 2021 Spring Election. These issues related primarily to the counting of write-in ballots. I want to thank those individuals that brought this issue to the attention of Town officials. Maintaining the accuracy of our elections is very important to myself and all Town officials and is the backbone of our democracy. Once the issue was raised, Town election officials promptly contacted the County Clerk's office and worked closely with the County and the Wisconsin Elections Commission to perform a detailed recount. Vote totals were corrected and although the results of the election did not change, that is no reason to excuse any errors. The Town will continue to cooperate with the Wisconsin Elections Commission and the County. The current election officials have taken all recommended training and moving forward it will be mandatory for all future election officials to undertake all recommended training as well to help ensure future errors do not occur. It is now time to move on. I am excited about the future of the Town and look forward to working with the new Town Board to move the Town forward in a positive direction and with a spirit of cooperation."

- **2021 Financial Audit Prior to April 2022 Annual Meeting.** This audit has been completed and is available. It has not been fully approved by the Town Board as the audit company CliftonLarsonAllen will give a presentation on Monday, May 2, 2022 to the Town Board. The 2021 financial audit was accepted by the Board; it just was not presented yet to the Board by CliftonLarsonAllen.
- **Virtual Meetings.** The Town is finalizing an ordinance to hold its meetings virtually via Microsoft Teams to given attendees an option to attend in person or virtual.
- **Decisions Regarding New Mining Proposals.** Chair Lindh communicated there are no actions taken by the Board at this time on this topic. Bob Wright asked whether the Town's attorney had any opinion on how the motion was passed from the 2021 Annual Town Meeting: "Any binding decisions made by the Town of Osceola, regarding new mining proposals in the Town of Osceola, including the location of the previously proposed Kraemer Mine, must have a Special Town Meeting called with the electors making the binding decision."

The attorney indicated the motion was advisory, and typical next steps on this type of topic involves a Public Hearing/Meeting vs. a Special Town Board Meeting when the Town Board is informed by Polk County.

- **Consider Combining Clerk and Treasurer Position.** Supervisor Everson went through a report on the history of the positions and highlighted considerations for supporting both separated and combined positions. Everson pointed out that there were 24 Towns in Polk County and only one currently has a combined Clerk and Treasurer position: The Town of Farmington. The most important consideration for supporting separate positions is the segregation of duties, which is a critical requisite, explained by the auditors at CliftonLarsonAllen in their Annual Financial Internal Control Letter. This is described as “one person should not handle any one transaction from beginning to end.” Everson pointed out eight other considerations for supporting separate positions. There are less positives in support of combining positions such as having a full-time combined position would be available to the public during normal hours on a daily basis, and, the one full-time position would be responsible for the quality and quantity of part-time help, and, a combined position that is full-time may be easier to fill than two part-time positions. Trish Carlson inquired about the hours for each of the positions. The Treasurer and Clerk responded with their hours being .6 (24 hours per week) for the Clerk, and .4 (16 hours per week) for the Treasurer. **Motion by Jim Berg / Second by Chad Oye to leave the Clerk and Treasurer positions separated. Motion carried.**

ANY OTHER TOWN BUSINESS AUTHORIZED BY STATE STATUTES

Chair Lindh opened the floor for public comment and/or motions/directives as may be authorized by State Statute.

1. Mike Wallis commented about a past Town Board meeting in 2021 where Melissa Ward brought up a potential wrongdoing by a person volunteering/working in a Town position by receiving a cash payment from Town residents. Wallis opined that Ward was met with much resistance at that meeting, and there were corroborations to the accusation by meeting attendees and Everson herself. Wallis is not aware whether Everson returned the monies given to her. State statutes dictate those monies need to be returned or gets donated to the municipality. Wallis indicated when Townspeople bring up these types of issues and they are later met with resistance, it sends a bad message. In Wallis' view, the Town should be thanking individuals who bring up such situations, and a few Board members owe Melissa Ward an apology. Merle Aarthun commented it was not the fact the accusation was brought up/to the attention of the Board, it was the way it was done within the meeting by Melissa Ward. Aarthun indicated anyone in the Town can bring up any complaint in a respectful manner, but when complaints are brought forth in a rude manner it is not acceptable.
2. Bob Wright raised something the Town should be made aware of. He had a copy of an email from Chris Nelson (who was Chair of Polk County Board until recently) to Malia Malone, Polk County's attorney. The email read, “Had a couple of calls from Osceola Planning Commission members and a resident about the Blue Rock mining CUP [conditional use permit]. Pretty much what was said is that Polk County needs to send back to Osceola for their process to work through and not allow this application to start at Polk County.” In Wright's view, it appears the Town has a couple of rogue Planning Commission members who think they can go outside the Town Board and try to influence policy in the Town. I think people should be concerned. How

do you trust the decisions the Town makes if you have people doing stuff like this? Wright suggested that those people be replaced by someone else. The Board took Wright's comments under advisement.

3. Al Bader stated his view that the Town should consider continuing to pay the gopher bounty to keep the gopher population down within the Town. **Motion by Al Bader / Second by Ed Everson to continue to pay for the gopher bounty at \$4.00 a tail. Motion carried.**
4. Chad Oye asked whether there has been any decisions and/or work done officially by the Town on new mining proposals submitted to the Town. Chair Lindh indicated not at this time. Deborah Kinzer asked what is the process for the quarry? The Town's attorney indicated the process is typically for the applicant to file for a conditional use permit with Polk County. Polk County staff review it at the Polk County level, then hold 1 or 2 public hearings. After Polk County staff's review is completed, Polk County will contact the Town for its input on the application, and the feedback is covered at the public hearing. Polk County's website should contain public information notices about any public hearings to take place at the Polk County level.
5. Tony Havranek requested that for any future Town meetings whenever the number of meeting attendees exceeds the Town Hall space the Chair of the meeting stop the proceedings and move the meeting to a venue to accommodate the attendees. Kim Kaiser requested that minimally all Town Annual Meetings be held in the Town Shop. Merle Aarthun mentioned the Board did discuss how to accommodate the potential number of attendees for the Annual Town Meeting and because of there being no sound and/or recording equipment in the Town Shop to hold the meeting within the Town Hall. The Town's attorney reminded everyone that according to state statutes, the annual Town meeting must be held at the location of the last annual Town meeting unless the location is changed by the Town board. If the Town board changes the location, the Board must publish a notice stating the location of the meeting, not more than 20 nor less than 15 days before the date of the meeting. Thus, the annual Town meeting location cannot be moved day of or while the meeting is taking place. Supervisor Thompson indicated in her view the Town Hall could accommodate more chairs, and there were several still available for seating. Debra Wood asked consideration be given to the Town Hall room capacity. **Motion by Tony Havranek / Second by David Dudash for any Board and/or Plan Commission or any other committee that is meeting in the Town Hall if the meeting attendees cannot fit into the room that the meeting be moved to a venue that would safely accommodate all attendees. 49 Ayes; 30 Nays; 0 Abstains; Motion carried.** The Board took this motion under advisement.

Mark Skjerven expressed his view about the gesture of thanks and appreciation to Everson for her tremendous volunteering of time when it was greatly needed, and it was his understanding Everson paid the amount back to donors that was received by her. Skjerven also asked the Town attorney to clarify the decision-making process on any mine proposals. It was his understanding the Town has an input and advisory role in the process, not a decision-making process to grant the permit or not. The Town's attorney confirmed the decision-making process rests with Polk County as it would be a Polk County Conditional Use Permit. Polk County will look for input from the Town, but it is only on an advisory basis. See #4 above as further reference on this topic.

Stacy Wright expressed her views about how Town employees are being paid. In her view, the employees should receive pay for their hours worked. When the next budget is put together, she expressed a strong need for the Board to consider the extra staff brought on and/or realistic hours

needed for employees to do their jobs. And, on the topic of any State Statutes that indicate a Town employee cannot receive any gifts over a certain value amount then the employee cannot accept gifts over that designated amount. The Board took Wright's comments under advisement.

Jim Brundage proposed a motion regarding the conditional use permit being sought for the proposed Blue Rock mining operation. The Town's attorney mentioned the Board could not take action on the motion because the application is with Polk County, and that the motion is only advisory to the Board at this time. **Motion by Jim Brundage / Second Nick Semmens that the Town of Osceola recommend that Polk County deny the conditional use permit being sought for the proposed Blue Rock mining operation because most, if not all, of the reasons stated for the denial of the previous mining proposal at the same site are still valid, making it incompatible with the surrounding land uses. 63 Ayes; 14 Nays; 9 Abstains; Motion carried.**

SET DATE FOR 2023 MEETING

April 18, 2023

MOTION BY ED EVERSON / CHAD OYE TO ADJOURN THE 2022 ANNUAL TOWN MEETING.

MOTION CARRIED. The Annual Town Meeting was adjourned at 8:04 p.m.

To be approved: April 18, 2023

Approved:

Denise Skjerven, Town Clerk