

**TOWN OF MCMILLAN
M403 ELM STREET
TOWN BOARD MINUTES
February 10, 2014 7:00 PM**

The meeting was called to order at 7:00 p.m. by Chairperson Opitz.
The pledge of allegiance was recited.

Roll Call: Debbie Derfus, Dave Swenson, Carolyn Opitz, Rick Duerr, Geoff Engel – All present.

Visitors -

Tim Vreeland -

- Roman Schaefer Parcel Split -
Tim Vreeland was at the meeting to get the approval of the final parcel created to give to the children.
All other parcels have already been approved and signed.

Rick/Debbie moved to approve the proposed parcel split for Roman Schaefer.

Roll Call: Debbie, Dave, Carolyn, Rick, Geoff - All ayes. Motion Passed.

The CSM was signed by the board members.

Comments from the Audience -

Kevin Schmidtke – What is going to be done about people snowplowing across the roads?

Carolyn has been trying to get in touch with Jim Griesbach, County Highway Dept., to get the resolution on this from the county. She is still waiting to hear from him.

Approval of Minutes -

Town Board Meeting 1/13/2014

Special Town Board Meeting – Fire Dept. Interview 1/17/2014

Debbie/Dave moved to approve the minutes from 1/13/14 and 1/17/14.

Roll Call: Debbie, Dave, Carolyn, Rick, Geoff – All ayes. Minutes approved.

Reports -

Plan Commission – John Bujalski

John presented a 2-sheet document from the Bi-Annual Review. He was looking for final approval from the Town Board so that this can be sent to the county for Public Hearing.

The county and the state did not have their agricultural maps up to date so McMillan prepared their agricultural profile map and sent it to the state and county, bringing their maps up to date.

There have been five public hearings on this and nearly everyone on the list has attended and had an opportunity to ask their questions.

Section 28 – They are looking to move from Exclusive Agriculture to Transitional Agriculture. That doesn't mean, however, that building would begin right away. Since this is the section closest to the city, it will likely change sometime in the future.

Mr. Gotz on the Plan Commission has abstained from voting on this because he owns a lot of property in Section 28. Mr. Bujalski complimented him on his integrity.

The Plan Commission recommends approval.

Rick/Dave moved to approve the recommendation by the Plan Commission to move this forward to the county for a public hearing.

Dave expressed some concerns:

- Realize this is near the border with the City of Marshfield. As supervisor for the roads, Dave sees the problems we have with the cost of road maintenance. New development will mean added costs to the town.

- As a producer of agriculture, we need to produce more agricultural products in this country to compete in the world market. Dave is concerned about turning 500 acres of farmland into transitional agriculture.

Transitional Agriculture always has been controversial. John pointed out that this is by no means a gift to developers. There are many things that would have to be considered before any new development could take place; the township would have the control in the decision.

Roll Call: Debbie - Abstain, Dave - Aye, Carolyn - Aye, Rick - Aye, Geoff – Aye. Motion carried.
John complimented Debbie on her abstention.

By the end of this year, there will be an online checklist that people can go to and look at all pertinent documentation.

Fire Department – Kevin Schmidtke

- ICS 300/400 for schooling – They are working on getting this through a grant process.
- First Responder refresher class is going on tonight.
- Next week they will be having a mask fit test, so each firefighter will have his/her own mask.
- Rick/Debbie moved to transfer \$15,000 from Fall Fest Funds to the F. D. Apparatus Fund.
Roll Call – All Ayes
- Approval/Disapproval of Resolution 02-2014 F.D. Fee Structure
Dave/Rick moved to approve Resolution 02-2014 for F.D. Fee Structure.

Geoff stated that this has already been approved. Rick pointed out that there have been some changes made.

It needs to be made more clear “who” is being charged? The citizen? The town? That should be spelled out clearly in the resolution. Brian stated that there was a footnote that was left off in the re-typing of the resolution. We will have to bring this back next month with the disclaimer added.
Roll Call – All No’s. Motion failed.

- Rick/Dave moved to approve Resolution 01-2014 Frequency of Fire Inspections
Currently we are doing inspections every 6 months. How often can we re-inspect? Kevin stated that we can re-inspect as often as we want to; depending on the level of the violations. This is designed to save a little money by not having to inspect too often on the many businesses that remain in compliance.

How many violations and revisits were there last time? Nothing major – exit lights out, one fire extinguisher not working. Out of 20 inspections there were 6 re-inspections.

Roll Call – All Ayes.

- F.D. by-laws change regarding membership age; changing the maximum allowable age for volunteers from 65-70 years.

Geoff/Dave moved to approve the by-laws change on age.

Question: Why the change? Wasn’t this an issue when the by-laws were written?

Kevin – We changed our mind. We need people to stay on longer. Kevin stated that there will be many changes to the by-laws as they change their minds.

Rick said that he has been checking with other FD’s and he found that age limits are not common.

There was discussion about the wisdom of changing by-laws to fit individual circumstances, requiring physical exams for members, and whether it is necessary to have any age restriction at all.

Roll Call: Debbie – no; Dave – no; Carolyn – yes; Rick – no; Geoff – yes. Motion failed.

Mr. Allar Snow Removal Business

Mr. Allar was in attendance to address any questions that the board or town residents have.

Carolyn stated that she has received a written complaint concerning the noise levels in the middle of the night.

Carolyn looked into the noise ordinances for the town, and she was able to find two that relate to noise levels:

Title 11 – Chapter 2 - Offenses against public safety and peace

Section 11-2-4 - Disorderly Conduct

“In any public or private place engage in violent, noisy, riotous, abusive, indecent profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to annoy or disturb any other person.”

Public Nuisance Defined – “Unnecessary conduct which may tend to annoy, intimidate, threaten, or otherwise disturb another in or about any public street, sidewalk, bridge or public ground which is offensive to the public morals or decency of the citizens of the Town of McMillan”

Mr. Allar handed out the noise ordinance from the City of Marshfield. He talked about the noise ordinance for the City, where noise is defined in terms of decibels. Mr. Allar conducted his own noise study, measuring the decibel readings of his own trucks, as well as the decibel readings of other trucks on the road, including our own town plow trucks.

Mr. Allar explained that he has acted in good faith, doing all that he can to keep the lights and noise levels down. They no longer use back-up beepers; after dumping his drivers are instructed to pull away very slowly to reduce the slamming of the tailgate; and they point their lights go the ground to eliminate the glare.

Some of Mr. Allar’s neighbors were in attendance. The people at the meeting had no concern with the noise, lights, or business in general.

Rick Duerr addressed Mr. Allar: “When you first came here you told us exactly what you were going to do on this property and we approved the zoning for your business. We recognize that you are trying hard to make the neighbors happy. Personally I do not see an issue here.”

Carolyn asked for recommendations – Debbie and Rick have no problem. Board members agreed that the ordinances that Carolyn read do not really apply to this business.

No action taken. Carolyn will write a letter to the complainant.

Library – Ruth Voss

There are several different programs going on at the library now.

Ruth cited the local newspaper which listed all the upcoming programs being offered.

Supervisors -

Geoffrey Engel – Website

Getting closer to completion of the website.

They’re having trouble getting pictures of Town Buildings copied over.

Geoff is having a hard time getting together with the website designer due to scheduling conflicts.

Ann pointed out some areas that need to be changed – garbage schedule, burning permit, etc. Geoff asked that someone get the changes typed up and he’ll get them uploaded to the website.

Rick Duerr – Library – Nothing to report.

Carolyn Opitz – Garbage & Ordinances-

Brief discussion of the garbage collection dates

David Swenson – Highway

Dave offered his compliments to plow truck drivers. They’re doing a great job!

Dave had to put cones in the road where someone pushed their snow into the road.

Mr. Williams has a private individual plowing his private road. The town does not want to be liable if there is a fire on that road and they can’t get to it due to the road conditions. Dave wants it to be on the public records that the township is **NOT** responsible for a fire if we can’t get to it.

Debra Derfus – Buildings & Grounds – Nothing to Report.

Clerk – Approval of Checks and Financial Report

Financial Report for the month of January 2014 -

The beginning cash on hand was \$2,164,042.66, including the December tax collections. We had receipts totaling \$36,903.34, plus tax collections totaling \$950,680.14. The disbursements for the month of January were \$64,158.26 and we had to pay the tax settlements totaling \$1,288,931.16.

In order to reconcile to the cash balance on hand, Denise explained that we must also add back the \$2,573.34 in payroll tax liabilities that have not been paid, yet Quickbooks is recognizing the expense.

Checks numbered 12535-12585 (excluding check #'s 12549-12550) issued since the last meeting totaled \$76,186.22. Denise asked if the check register printed from Quickbooks gives sufficient information. Board members agreed that it is fine.

Debbie/Dave moved to approve the checks numbered 12535-12585 (excluding check #'s 12549-12550), totaling \$76,186.22 and the financial statement as presented.

Roll Call: All ayes. Motion passed unanimously.

Treasurer –

Ann reported a checking account balance of \$367,156.98, minus outstanding checks of \$13,613.52, plus \$1,447,566.60 in C.D.'s and savings accounts for a total cash on hand of \$1,801,110.06 as of 1-31-2014.

Ann talked about the February settlement that will need to be paid out no later than 2-20-2014. We will also need to send \$830 to the County for dog licenses. We have not had the opportunity to figure out how much we will need to send out because taxes were being collected through last Friday, 2-7-2014. Do we need approval to send out these checks? There was discussion about whether or not Ann/Denise could pay out the February settlement and the dog license money without board approval.

Debbie/Dave moved to approve the Financial Statement as presented. Roll Call: All Ayes. Motion passed unanimously.

Dave/Debbie moved to give Ann and Denise the latitude to pay the remaining amounts for the tax settlements and the dog licenses and to report back at the next meeting. Roll Call: All Ayes.

Discussion of Administrative Chief for Fire Dept.

Brian Hoperdietzel and Kevin Schmidtke both stated that there is a tremendous amount of work needed to bring the FD in to compliance with various state and federal agencies. There is no distinction between a career FD and a volunteer FD as far as the regulations are concerned; and, the McMillan FD is very behind on paperwork.

Therefore, they would like to add a new position, a part time Administrative Chief. This would be a starting point to bring the F.D. into compliance better than it is.

Question: How much of this can't you handle? What can't you do, from this job description?
It's a matter of getting caught up on things going back to the 90's.

Question: What is Brian Hopperdietzel's role?

Giving recommendations on the bylaws and working on the computers. His role does not cover bringing the FD into compliance with state laws.

Question: How are we going to pay this salary? It's not in the budget.
We're really looking at January 2015 before this is even realistic, based on current budget. Kevin wants to have the discussion, even though we cannot do the actual hiring right away.

This is not an appointed position; it's a job that individuals would be applying and interviewing for.

Question: Is there anybody currently in the FD that would be qualified? Rod Bauer needs two more courses.

How have we handled all this in the past? How long have we had the FD and how have we remained in compliance in the past? There used to be a division of labor between the FD officers and the Town Clerk/Treasurer.

Kevin – Given how quickly these things keep changing, this should really be a full-time job.

Carolyn – We are not ready to make a decision on this tonight. Kevin said, he is not asking for a decision, he simply wanted to have the discussion.

Geoff – If we cannot afford to hire someone this year, how is some of this going to get taken care of? What is our alternative?

Couldn't you allocate a lot of this to the guys in the F.D.? It was suggested that this could be advertised as an unpaid position. Maybe there is someone out there looking for something to do on a volunteer basis.

We need to start looking within our own fire department for people who can help with some of this.

Carolyn – You need to start with a priority list of things that absolutely need to be done right now, and find someone who might be able to help you out.

Debbie – Kevin, look over this list and see what you can delegate.

Approval/Disapproval of Fire Dept. Assistant Chief

Debbie/Dave moved to approve Rodney Bauer to the position of Fire Department Assistant Chief.

Roll Call: All Ayes. Motion passed unanimously.

Unfinished Business -

Selection/Approval of CPA Firm to Perform 2013 Audit

Debbie/Carolyn moved to go with Hawkins Ash CPA.

Denise explained that Schenck will help with Quickbooks set-up as part of their audit fee. Hawkins Ash will help with Quickbooks set-up for an additional fee of \$80-\$150/hour, and the help would largely be from a remote location. There was some discussion as to whether the additional \$300 that Schenck is asking for is worth it for the amount of help that they would give with Quickbooks.

Roll Call: Debbie – yes; Dave – no; Carolyn – no; Rick – abstain; Geoff – no.

Dave/Geoff moved to hire Schenck to perform the 2013 audit.

Roll Call: Debbie – no; Dave – yes; Carolyn – yes; Rick – yes; Geoff - yes.

Discussion of On-Line Purchasing Options

Denise explained how much exposure we would have by doing on-line purchasing using our checks. Donna from Pioneer Bank warned us that, with the amount of money that we hold our checking account, we would be exposing the town to significant losses due to fraud.

Debbie suggested that if we need to do on-line purchasing, we can bring our request to the board in advance.

New Business -

Approval/Disapproval of Renewal of Highway Building Fund CD (matures 3-6-14)

Debbie/Dave moved to roll over the Highway Building Fund CD for three more months.

Roll Call: All ayes.

Approval/Disapproval for Obtaining Highway & Materials Bids

Dave/Geoff moved to submit the following road projects for 2014:

- | | |
|---|-----------------------|
| 1. Turtle Ridge (W/Cty E) | Double Chip |
| 2. Meadow Ave. (W/McMillan) | Double Chip |
| 3. Candlewood (E/St. Joseph) | Double Chip |
| 4. Red Hawk (E/St. Joseph) | Single Chip |
| 5. Deer Run (SE of St. Joseph/Mann) | Single Chip |
| 6. Edgewood (SE of St. Joseph/Mann) | Single Chip |
| 7. Ruby (W/St. Joseph) | Single Chip |
| 8. Rebid Staadt Ave. (Cty C to Eau Pleine) | per Quest Engineering |
| 9. Calcium Chloride | 38% LiquDow |
| 10. Base Coarse/per ton (specify < 5/8" to ¾") for anywhere | |
| 11. Wedging of Staadt (Elm St. to Cty Trk C) | 2013 Bids |
| 12. Crack-filling, as needed | |

This is all subject to the conditions of the roads after the spring thaw.

Debbie – Are there any alternatives to the Staadt Rd. project? Debbie suggested a land swap with Mr. Mullins. Debbie wants someone to talk to Mr. Mullins. Dave prefers to get the project re-bid.

Rick suggested that we take the Staadt Rd. project off the list so that we can get it approved and get it in the newspaper.

Roll Call: Debbie – no; Dave – yes; Carolyn – yes; Rick – no; Geoff – yes. Motion passed.

Carolyn had an update on the Michelle Weaver (Apsey Auto) zoning violations. Carolyn stated that she spoke to Mr. Apsey and asked him if he wants to continue his business or not? He says that he has filled out all the paperwork that they have given to him, and he showed copies to Carolyn. Carolyn has called Dean Johnson, who contacted the Wisconsin Rapids DOT. They will work with him to get this done.

Denise administered the **Oath of Office** for Assistant Fire Chief to Rodney Bauer.

Rick/Dave moved to adjourn at 9:30 p.m. All Ayes.

Adjourn

Submitted by:

Denise Barg, Town Clerk