

**TOWN OF BLACK BROOK
BOARD OF SUPERVISORS
MAY 19, 2022
MEETING MINUTES**

The meeting was called to order at 7:00 p.m. by Chairman Erik Henningsgard. Supervisor I George Fowler, Supervisor II Dale Wood, Clerk Sally Pickard and Treasurer Cindy Nelson were also present. There were several residents present for the meeting as well.

The meeting was started by reciting the Pledge of Allegiance

The reading of the meeting notice, pursuant to Wisconsin Stats. 19.83 was made.

Agenda: A motion by Supervisor Fowler, seconded by Supervisor Wood, to approve the agenda. Motion passed unanimously—3 yes.

Minutes: A motion by Supervisor Fowler seconded by Supervisor Wood to approve the April 19, 2022 minutes. Motion passed unanimously. 3 yes.

Vouchers: A motion by Supervisor Fowler, seconded by Supervisor Wood to approve the vouchers and pay the bill. Motion passed unanimously – 3 yes.

CLERK'S REPORT:

Cemetery: Request to change the name of the cemetery. I haven't had a chance to reach out anyone at the historical society.

Sam's.gov account has been renewed so we can get federal grant money This has to be done yearly. . Annual Report has been filed as well as ARPA form has also been submitted.

Got notice for the upcoming primary in August and absentee voting.

TREASURER'S REPORT:

Beginning bank balance was \$279,422.80, with deposits of \$53,973.31 with \$12.49 in interest. Checks written were \$27,343.62 as well as \$2,308.39 electronically transferred for State and Federal withholding, leaving a balance as of April 30, 2022, of \$303,744.10. Savings earned .00 interest for a balance of \$32.68. Achieve Money Market #13 earned interest of \$20.28 for a balance of \$61,719.80; Money Market #03 for ARPA funds earned interest of \$19.86 for a balance of \$69,047.69. Total of all accounts on April 30, 2022, is \$434,544.27.

There are 13 outstanding checks for \$2,084.80 Raised question again about voiding uncashed checks. WI Towns Association indicated that if it is voided in the same year, can just be voided. If it is done the following year a receipt must be generated. There are 5 from Feb, 4 from March and 4 from April. Will wait until closer to the end of December. Some are bills that have not been cashed. Clerk indicated that she received a second billing from one of them so treasurer will check on that. Question raised if we have tried to contact them. Because they have cell phones, it is difficult to do. May look into sending follow-up letter to address.

SUPERVISOR'S REPORT:

George Fowler: Nothing

Dale Wood: Question about all of the damaged culverts on town roads – what is causing this. Some are caused by cars running off the road, some may be brush cutter – could be snowplow. He was told it was snowplow. Also a question raised about increasing the gopher bounty – due to all of the issues they cause with the roads. Question raised as to what we pay for gopher bounty. \$3/pocket gopher \$1.50/striped gopher. Will put it on the agenda for further discussion.

Comment made at the Towns Association about funds available for building storm shelters because there are so few in Polk County. Not sure if we need one but may be a way to improve the building. Large amount available. Also talked about changing road names. Also comment made about dams causing flooding downstream – had the Black Brook dam, but even a beaver dams can cause flooding things out.

ROAD REPORT: Patched 118th Street and 60th Street.

CHIEF'S REPORT. Made actual contact with the owner of 546 St Hwy 46. Had a very good conversation. Meeting again on June 1st. Making enforcement of 50th Ave and F and additional assistance on 60th Ave. for road work.

PLANNING COMMISSION: There was a meeting tonight and we met to review CSM which will be addressed later as an agenda item.

CHAIRMAN'S REPORT:

Got a call from Mo - Polk Co Hwy Commissioner for the bridge on 50th. He was going to submit the proposal as this is an 80/20 split with the State and the county will cover 10% of the 20%.

PUBLIC COMMENTS: None

OLD BUSINESS:

- 1. Review Chapter 14 Subdivision & Planning Ordinance #2021 Motion by Supervisor Wood, seconded by Supervisor Fowler to table. Motion passed unanimously.**
- 2. Review, discuss and approve road agreements with local Towns:** Received signed agreement from Village of Clear Lake. So now have Town and Village of Clear Lake and Lincoln. Talked with Town of Cylon and they will be sending theirs in. This was talked about this at the Towns Association meeting and they thought it was a good idea.
- 3. Discussion regarding web site information.** Old website will re-direct to new .gov. It is up and running and training will be taking place in the next couple of weeks. Still needs work – but it's up and running. Training with them to take place in the next couple of weeks.
- 4. Discussion/decision regarding Fee Schedule for Town.** Review of the fees that are being charged by the Town. Thought we were done with this. Only fee added to the list from the last month was for an administrative fee for fire calls. Question raised by Supervisor Wood as to who pays the fire call. If it is just Deer Park, it should state that. This is part of the money we tax for fire calls. We attempt to collect from the person/people responsible and can assess on tax roll. If not a resident, we don't always collect.

Another question raised about the animal control fee. If it is not the home owner's fault, who pays for this? This will come up further down the agenda. Currently if the animal control officer comes out, the cost is charged to the owner of the animal. This has been an ordinance for a long time, and it also includes a penalty for multiple offences. The only thing we've added is the administrative fee. Comment made to be on the lookout because they have been told that animal rights people are coming around making false accusations. If it is found that the person is not responsible, it will be reviewed on a case-by-case basis. **A motion by Chairman Henningsgard, seconded by Supervisor Fowler to approve the fee schedule as presented. Motion passed.**

NEW BUSINESS:

5. **Dan Kegley – REM Inspecting – Annual Report** Dan Kegley and Beth Hedstrom presented the annual report for the Town of Black Brook. There were 36 permits issued total estimated cost was \$3,713,388. In 2020, the estimated project costs were \$1,519,388 so they have doubled. There are some permits issued in 2021 that are still open as of today. They basically have the ordinance broken down in a spreadsheet and what does and does not require a permit. This will be put out on the website along with the 2022 fee schedules. Example – roofing doesn't require permit, but siding does require permit as they try and catch older homes that maybe haven't had the Tyvek wrap done on the house to get the weather barrier on and help it last longer. There are some new electrical laws that are out there created by the State of Wisconsin regarding commercial buildings. If there is question, best to call. Dan indicated that he has hired 8 contract/commercial electrical inspectors and he makes 9; he has 3 commercial inspectors and 1 residential inspector and 4 in the office so a growing business. The only thing that has changed from 2021-2022 on the fee schedule is the Office Administration fee has gone up from \$50 - \$55. There is also an electrical fee schedule as well that will be posted. Try to keep the communication open.
6. **Discussion/decision regarding CSM – Jonathan Bratt - Ed Flanum Northland Surveying** This is a pretty basic division. This is a 2 lot CSM that went before the Plan Commission and there was very little discussion. Plan Commission recommended approval the CSM as presented. **A motion by Supervisor Wood, seconded by Supervisor Fowler to approve CSM for Jonathan Bratt, as presented by Ed Flanum of Northland Surveying. Motion passed unanimously. 3 yes.**
7. **Discussion/decision regarding Animal Control Ordinance and associated fees.** Basically, just for clarification as to what transpired back in March where we added the administrative fee and then to clarify what has been on the books since 2007 with the original ordinance and amendment with regard to fees charged. It's been on the books since 2007 to allow us to charge back the actual costs from the Animal Control Officer plus a fee that was also to be charged as well so this is just to clarify that we added the administrative fee but that we should have been attaching an additional fee since 2007. No action needed unless there is a need to clarify anything.

- 8. Discussion/decision regarding fees associated with animal control issue at 781 30th Ave.** A letter was received from Peter and Cindy Dietrich, who are in attendance, regarding the bill they received for the animal control officer coming to their home because of a complaint. They are asking us to waive the administrative fee as it was not in place at the time of the incident. Additionally, the animal in question was not on the property at the time. There is not set policy in place, but things are not necessarily handled the same as the last chairman did things. We do not get a lot of animal control calls. After significant discussion regarding this situation, **A motion by Supervisor Fowler, seconded by Supervisor Wood to waive the fee and citation. Motion passed unanimously.**
- 9. Discussion/decision regarding Road work based on road review.** There is a list of road work that will seek bids out as well as a list sent to our engineer as to what roads we would like to apply for BIL funding. There was discussion as to plowing roads and where we are required to plow to where the town road ends **A motion by Supervisor Fowler, seconded by Chairman Henningsgard, to accept the list generated from the road review, to be put up for bids. Motion passed unanimously. 3 yes.** Clerk will put out an add requesting bids.

There was also a question on the speed limit on 85th going north on the dead-end road. Question was it 25 mph before and the sign got knocked down. Supervisor Wood will look into what it takes to put up a speed limit sign.

- 10. Discussion/decision/recommendation regarding by-laws and contract for Northwestern Municipal EMS.** They are asking to review a new list of bylaws and if any suggestions or changes to get them to them by the 24th. There will be an annual meeting once a year where everyone attends, otherwise, it will be an executive board that will meet. The per capita will not change.
- 11. Discussion/decision regarding interim funding for 60th Avenue project.** Last month we received a letter indicating we were eligible for 2/3 funding for 60th Ave. which is close to a million dollars. We will need to fund the project and then be reimbursed. Interest rate from the State is the same as what our bank will offer. Good chance interest rates will go up again in June. We could take out the entire amount and only pay interest on the amount we draw until we got the reimbursement from the state, and then figure out what we need to borrow - like a construction loan. We don't have any bills or bids for this yet so this will take some time until we need money because we don't have any engineering plans, which is a detailed process. There is a question as to how long we are able to have a construction loan as well as how does it work with paying on the funds and does it lock us in to a specific rate. Tried to reach out to confirm this, but no answer. This goes along with the next agenda item, regarding the engineering services of Dan Fedderly. No action taken.

12. Discussion/decision regarding Contract with Daniel Fedderly for Engineering Services for 60th Ave and other possible road projects eligible for funding.

Discussion as to design and construction of 60th Ave., including culvert on the east end of the road – beavers keep closing it off. Get a list of what we are thinking and possibly a “walk-thru” with Dan before he gets going. There may be additional costs for not covered by **A motion by Chairman Henningsgard, seconded by Supervisor Fowler to approve the contract with Daniel Fedderly for Engineering Services for 60th Ave., Roll call vote. Wood – Aye; Fowler- Aye- Henningsgard – Aye; Motion carries 3 yes.**

There is another Master Contract for Engineering and Surveying and Consulting Services for Daniel Fedderly for “on call” services for putting together other projects like the five road projects we are looking at submitting by June 3rd. **A motion by Chairman Henningsgard, seconded by Supervisor Fowler to approve the contract with Daniel Fedderly for general Engineering Services; Roll call vote. Wood – Aye; Fowler- Aye- Henningsgard – Aye; Motion carries 3 yes**

A motion by Supervisor Fowler, seconded by Supervisor Wood to adjourn. Motion passed unanimously.

Meeting adjourned 9:00 p.m.

Respectfully submitted:



Erik Henningsgard, Chairman



Sally Pickard, Clerk