

**TOWN OF BLACK BROOK
BOARD OF SUPERVISORS MEETING
JUNE 20, 2024**

The meeting was called to order at 7:00 pm by Chairman, Erik Henningsgard. Supervisor I, Jake Macholl; Supervisor II, Matt Belle Isle; and Clerk, Janel Belle Isle were also present.

There were 19 other people in attendance.

The meeting began by reciting the Pledge of Allegiance.

Reading of the meeting notices, pursuant to Wisconsin Stats.19.83 was made by the Chairman.

APPROVE AGENDA:

Erik entertained a motion to approve the agenda. **Motion by Matt, second by Jake. Carried, 3 yes.**

APPROVE MINUTES:

Erik entertained a motion to approve the minutes from the May 2024 board meeting. **Motion by Jake, second by Matt. Carried, 3 yes.**

APPROVE VOUCHERS:

Erik entertained a motion to approve the vouchers and pay the bills. **Motion by Jake, second by Matt. Carried, 3 yes.**

CLERK'S REPORT:

Completed and filed the Maintenance of Effort Report with the Department of Revenue.
Completed and filed the Annual Supplemental Survey with the Wisconsin Census Bureau.
Worked through the liquor license and server applications and ran necessary background checks.
I invoiced the dog owner last month to reimburse Darel Hall's bill, no payment or response yet.
Received a phone call from a resident on Island Lake asking who owns the island in the lake. It is being worked through by the county and Ed Flanum.
Continuing to work on all sorts of projects.
I will start calling for LP prices for the upcoming heating season next week.
Darcy wants us to look at Ferrell Gas for LP this year. He got a great deal from them.

TREASURER'S REPORT:

Total expenditures for May were \$24,236.88 and total revenues were \$3,059.36, leaving the general checking balance at \$11,624.85 on May 31. The savings account balance remained at \$5.01; the new Business Money Market balance was \$33,669.34; ARPA Money Market was \$100,498.30; Equipment Money Market was \$63,419.47; Road Maintenance debit card including that savings was \$1024.48. Our CD is now at \$254,186.43. Total cash assets as of May 31 are \$464,427.88. As of May 31, the accounts have gained a total of \$7,303.68 in dividends this year. The municipal loan payoff amount was \$282,349.06. As of today, total available funds are \$466,966.17 with the loan payoff amount at \$283,036.21, leaving total net assets of \$183,929.36.

SUPERVISORS' REPORTS:

Matt: Dumpster – Waterman delivered too early this month and a resident dumped his trailer but called to let us know. Janel called Waterman and emailed them another 2024 schedule to them. Appreciates Erik going to the Clear Lake meetings while he's been working out of town, which will come to an end soon.

Jake: Attended the Northwestern Municipal Ambulance meeting on May 20th. New ambulance in service and they also approved looking into the purchase of a 2022 used ambulance from Hennepin County Medical Center, as they maintain them very well and are less than half the price of a new one. They earned approximately \$15,000 during their smelt fry fundraiser, about double from last year. The billing company they used got bought out and a month of billing was missed, causing them to not receive any income for a month. They approved a bylaw adjustment to allow other communities to join them and to make sure all their assets are being protected accordingly. Visited a property for a potential driveway site. Received commendation from a resident on Aaron's work on the roads. Everything is looking great. Wants to give Aaron kudos for a job well done and commends Janel for her work.

ROADS REPORT: Spray patching in Alden and Black Brook, shared manpower. Replaced culvert on 35th Avenue. Ditch mowing as he can. One ton will go in next week to be sandblasted and painted. Has cut or moved a lot of trees as well. Jamie Wood will offer back up while he is off for vacation for the weekend for any emergency needs.

CHIEF'S REPORT: None

ANIMAL REPORT: Two calls this month. He thinks he has it figured out with both dog owners.

PLAN COMMISSION REPORT: Four things were on the agenda. Will be addressed during the regular agenda items.

CHAIRMAN'S REPORT: Had a meeting with Department Of Transportation and Polk County and designers for the rebuild of the bridge on 50th. It is planned to be out for bid by May 2025 for construction to begin next year. We did receive a grant that should cover 100% of the engineering and construction costs.

PUBLIC COMMENTS: Mark Lamkin asked if the recycling attendant is staying – yes and action items are being worked on with pricing, dumpster control, etc. Mark Lamkin asked why we don't pay off the loan we have if we have the cash in the bank right now. Erik explained that the monies are allotted according to the annual budget and cannot all be spent right now.

Eugene Solum commended the 60th Avenue rebuild. He is also happy about the 50th Avenue bridge being done by following protocol. He asked if we (people of the Town) have a police officer at our disposal. He is concerned that the Town should let their residents know that they can get ahold of the police by calling the Clear Lake Police Department or 911 if needed. Eugene continued that he is also here to let the Board know about an incident that happened on May 25th near his house involving a neighbor shooting Tannerite and what sounded like automatic weapons. Russell Arcand stated that he also heard the explosion. John Weyer stated he has the same complaint. Brenda Boe asked if the Board can restrict the action. Eugene said he called the

sheriff who responded to his complaint and was told that the neighbor was operating within his rights. Josh Riendeau stated that it was he who was shooting Tannerite. Val Weyer spoke to Josh, would like notice in the future. Josh said he can do that but will not discontinue target practicing on his own property.

OLD BUSINESS:

1. **None**

NEW BUSINESS:

1. **Public Hearing for mobile home variance request at 857 20th Ave. Clear Lake.** Erik explained the public hearing process to the people present. Erik entertained a motion to open the public hearing.
Motion by Matt, second by Jake to open the public hearing. Carried, 3 yes.
Adam Kirk owns property at 857 20th Avenue and is asking for a variance to let him keep his mobile home on his property. He explained to the Board that he was told by Polk County and REM Inspecting that he would be able to put a 1984 mobile home on their land, so he purchased it. Last month, after he had moved his mobile home to his property, he was notified by REM that the age of the mobile home he bought was not compliant with Black Brook's most recent mobile home ordinance, so he had to stop working on his land pending this public hearing. Mark Lamkin asked if the variance is only for the age of the mobile home. Erik explained yes, and that within the Building Ordinance of 2020 it states that mobile homes must be 10 years old or newer and that there is a Mobile Home Ordinance that requires mobile homes to be of the year 1976 or newer. Brenda Boe asked if they plan to make improvements to it. Adam Kirk explained the improvements they are planning to make. Mark Hansen asked for clarification that Black Brook has two ordinances that conflict with each other. Erik explained that in this case, yes. Mark then gave his opinion which is to follow the less restrictive ordinance in this case and to let them keep the mobile home as it meets the 1976 or newer requirement. Mark Lamkin agrees. Janel Belle Isle spoke in a positive manner for Adam Kirk's character and his intention to keep his mobile home and property upkept. Erik entertained a motion to close the public hearing. **Motion by Jake, second by Matt to close the public hearing. Carried, 3 yes.**
2. **Mobile home variance request at 857 20th Ave. Clear Lake** For clarification, this is a request for a variance from the building code requirement of a maximum of a 10 year old mobile home. Erik did research on how variances are handled; The Board must make this decision. This is not a zoning variance; it is a land use variance. The Board will make the decision based on the hardship of owners, the impact it may have on other residents and the impact on the Town as a whole. Discussion. **Motion by Jake, second by Erik to grant the variance being requested at 857 20th Ave. Clear Lake. Carried, 3 yes.**
3. **CSM proposal for Mark Hansen** Plan Commission did not act because they believe it does not meet the county requirements for lot size. Mr. Hansen stated that he will investigate it further. No action.
4. **CSM proposal for Bill Kenny** This was for a 4 lot CSM. Plan Commission recommended approval for this CSM as it met all requirements. **Motion by Jake, second by Erik to approve the proposal for the Bill Kenny CSM. Carried, 3 yes.**

5. **CSM proposal for Dean Gehrman** This was for a 3 lot CSM. Plan Commission recommended approval for this CSM as presented. **Motion by Jake, second by Erik to approve the CSM for Dean Gehrman. Carried, 3 yes.**

6. **Zoning request from Ben Boe** This was a request to change zoning of his property on 3rd Avenue from Ag Residential to Residential to be able to lot it into 3 lots. Plan Commission did not recommend approval of the zoning change and recommends denial of the request to maintain the rural nature and to avoid creating additional smaller lots in that area. Discussion. **Motion by Erik, second by Jake to deny Ben Boe's zoning change request. Carries, 3 yes.**

7. **Herbicide treatment of invasive plants in ditches** Lot of wild parsnips on county roads. County will start to work on spraying. Aaron said our roads are mostly spotty. Erik authorized the purchase of a sprayer. Aaron will only be spot spray treating invasive species like wild parsnip, not doing any drive by spray. **Motion by Erik, second by Matt to approve the use of herbicide to control the invasive plants in our town road right of ways. Carried, 3 yes.**

8. **Beer/Wine/Liquor Licenses and server permits for Country Store, Amery Ale Works, Amery Gun Club, Echo Valley, and Northern Farmer** Janel received applications and payment from all businesses listed and performed necessary background checks. She sees no reason to deny any of the renewal or new license applications submitted. **Motion by Jake, second by Matt to approve all licenses as presented on Janel's list. Carried, 3 yes.**

9. **Future of the town hall & shop** Erik explained that there has been a lot of discussion over the last few years about the condition of the buildings we use for town hall duties as well as the space we have. The ad hoc committee was created last year, and they have been looking into all options. Jamie Wood prepared a presentation to show some of the disrepair of our current facilities. Many pictures showed damage that is costly to fix. The shop roof is sagging, which is unsafe. Rotting wood in many places. Water runs under walls and drips through the roof, creating pools on the floor. There is no floor drain in the shop; the roadman works on the equipment in the pooled water; improper drainage has made the concrete buckle. The roadman does not have an office space. All the Town's equipment doesn't fit in the shop, some sits outside all year; our salt/sand bunker is assumed to not be permitted at some point as is. The town hall is not good either. Main structure seems ok but exterior cracked or failing bricks need attention; bell tower wood and wood under the eaves is rotting in places; electric is not up to code; sewer not in proper working condition; the well needs replacement and is tucked too close to the ramp; not very handicap friendly; hall and shop both hard to heat in the winter; have been using more land area south of the shop than was deeded to the town; it was determined that Blanchard does not want to sell the town additional land for expansion. Is it worth it to fix everything, or better off relocating? Discussion. The conclusion and recommendation of the ad hoc committee is to buy land within the town and build new. The committee visited many other town halls and town shops in the area and met with Berghammer's in Clayton who drew up a rough draft of a new building that could fit all of the town's equipment and have an attached town hall, all on one level. Don't know where pricing will fall. Discussion on the town's ownership of this lot. Suggestion to look for 8 to 10

acres of land to purchase ideally toward the center of the town. Discussion regarding new rules about insuring commercial buildings; everything must be state approved and inspected and commercial codes followed. Discussion on two buildings rather than one combined. Erik thanked Jamie and the committee for the many volunteer hours that have been spent on this research and information gathering. Erik explained that we have not decided to move forward yet, as that decision comes with consideration of money; the levy (taxes) would have to increase to pay for it. Erik explained that Dennis Carson has worked on gathering financial information for the town to be prepared to seek financing. Discussion. The Board agrees that the need for the town is to look for land and move toward the purchase of a piece of property. Asking the public's help for leads on land for sale. Discussion about the necessity to move equipment or stabilize the shop building before the snow flies this year. Josh Riendeau offered his property and building on 70th Street for lease for storage this winter and possible future sale. He gave many details about his building and wants to help. Invited the board to go look at it at any time. Will be on next month's agenda for updates.

Mike Jackelen came in; he missed the public comment section but wants consideration from the board to put in a new culvert on 20th Avenue to properly drain the water away from the road. His suggestion is that it needs to be lowered and moved to the east.

Motion by Jake, second by Matt to adjourn. Carried, 3 yes.

Meeting adjourned at 9:00pm.

Respectfully submitted and posted by:

Erik Henningsgard, Chairman

Janel Belle Isle, Clerk