



# MINUTES OF MONTHLY MEETING OF THE OMRO TOWN BOARD OF SUPERVISORS

**DATE:** May 16, 2022      **TIME:** 6:00 p.m.      **LOCATION:** Omro Town Hall, 4205 Rivermoor Rd.

## **Public Hearing for Winnebago County Natural Hazards Mitigation Plan 2022-2026 (5-year Update)**

Chairman Noe called the Public Hearing to Order at 6 p.m.

Chairman Noe explained the plan to the best of his knowledge. Indicated it's required in order to make FEMA grant funding available when disasters are declared.

- Resident Tom Tuschl asked if the proposed plan is online anywhere. Clerk Woods indicated it was and would share the link with him. Plan is 308 pages which is why copies were not made available for the public.
- Reporter Tony Daley asked if the town was involved in the development of the plan. Chairman Noe explained some meetings that had taken place.
- Resident Tom Tuschl asked if the county had a plan in place during 2001 when the town was without power and was there any eligibility to declare. Chairman Noe believed there was a previous plan, has been updated at times, but town has not yet been eligible for relief in recent storms as damage was not extensive enough.
- Resident Tom Tuschl asked if funding goes to municipalities or to individuals affected. Chairman Noe indicated it would go to municipality.

## **Public Hearing Closed at 6:04 p.m.**

### **Call to Order**

The regular monthly meeting was called to order at 6:04 p.m. by Chairman Brian Noe.

The Pledge of Allegiance was said in unison.

### **Attendance**

Chairman Brian Noe, Supervisors Mark Krings and Steve Disterhaft, Clerk Dana Woods, and Attorney Karen Marone were present. Treasurer Beth Jackson was excused.

### **Statement of Public Notice**

Notice of this meeting was posted at the following locations: Omro Town Hall, 4205 Rivermoor Road; Garbage & Recycling Drop-Off Center, Wendt Road & County Road FF; and near the Corner of Liberty School Rd & County Road F. Notice was also posted on the Town of Omro website and emailed to the Omro Herald and the Oshkosh Northwestern.

### **Public Comment**

None at this time.

### **Community Policing Discussion**

None present at this time.

### **Certified Survey Map affecting Parcels 016-0605 and 016-0611 owned by Roger & Teresa Walotka and David Barnett**

Chairman Noe explained Planning Commission recommended approval. No additional lots created so no parkland dedication fees necessary.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve certified survey map affecting Parcels 016-0605 and 016-0611 owned by Roger & Teresa Walotka and David Barnett

Motion carried on a 3-0 voice vote.

### **Resolution 2022-5-1 to Adopt the Winnebago County Natural Hazards Mitigation Plan 2022-2026 (5-year Update)**

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve Resolution 2022-5-1 to adopt the Winnebago County Natural Hazards Mitigation Plan 2022-2026.

Motion carried on a 3-0 voice vote.

### **Consider Taking Action to Address Dumping of Refuse in Yard that is Creating a Public Nuisance**

No response from resident after letter sent. Sherriff's dept. is willing to assist but they would need an ordinance to enforce or a legal judgement.

**MOTION** by Supervisor Disterhaft, second by Supervisor Krings to direct Attorney Marone to draft an official complaint with the court. If board members forward the resident complaints to Clerk Woods, she will update those who complained about it.

Motion carried on a 3-0 voice vote.

### **Discuss Extending Dump Site Hours of Operation**

Chairman Noe spoke with Jeff Meyers and he's willing to do it. Mentioned Thursday night 5 to 7 pm from Memorial Day to Labor Day. Disterhaft asked how he's paid; Clerk Woods indicated 12 weeks at two hours per week would cost the town \$384.

**MOTION** by Supervisor Disterhaft, second by Supervisor Krings to approve extending dump site hours seasonally between Memorial Day and Labor Day weeks, day and time to be specified by Jeff.

Motion carried by 3-0 voice vote.

### **Discuss Compensation for Animal Control Position**

Employee contacted Clerk Woods asking about a raise. Hasn't received one since being hired in 2016. Compensation and demand of the on-call position was discussed. Current employee uses his own kennel for temporary placement when needed which saves the town money; it also saves the pet owners from paying the shelter.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to change base pay from \$50 to \$100 per month.

Motion carried on a 3-0 voice vote.

### **Discuss Hiring of Dave Friess to Install Address Signs**

Chairman Noe reached out to Dave about doing it since he was involved in the original addressing project.

**MOTION** by Supervisor Disterhaft, second by Supervisor Krings to hire Dave Friess to install new address signs.

Motion carried on a 3-0 voice vote.

Discussion took place about the appropriate rate of pay for the work considering the labor involved and coordination with Digger's Hotline required.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to pay Dave Friess at a rate of \$35 per sign.

Motion carried on a 3-0 voice vote.

### **Consider Amendment to E911 Address Sign Ordinance**

Dave Friess had concerns about the spacing listed in the ordinance; suggested we change the space from "15 feet" to "3 to 15 feet."

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to amend the E911 Address Sign Ordinance as proposed.

Motion carried on a 3-0 voice vote.

### **Consider Appointment of Margaret Krause and Dave Friess as Board of Review Member Alternates**

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to appoint of Margaret Krause and Dave Friess as Board of Review Alternates.

Motion carried on a 3-0 voice vote.

### **Annual Road Inspection Discussion**

Board members reviewed estimates received from County. Discussed the most urgent needs.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve work proposed on all roads with the exception of paver patching on 9th St, Broderick Road, Knott Road, Reighmoor Road, Sand Pit north of 21, Scott St, and 2nd street. Decision contingent on available funding. Chairman Noe and Clerk Woods will continue to monitor expenses and budget.

Motion carried on a 3-0 voice vote.

### **Discuss Upgrade to Town Hall Phone System**

Clerk Woods presented information that she obtained thus far. Questions and discussion took place. Clerk Woods can work on getting some additional questions answered. Tabled until June.

### **Discuss Hiring of Luann Devos for Mowing at Town Hall**

Luann did it prior to 2021 but was unable to after surgery last year. Would like to do again.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve hiring Luann Devos at a rate of \$70 per mow.

Motion carried on a 3-0 voice vote.

### **Consider Revising Town Hall Rental Terms**

Clerk Woods explained some items on the terms were out of date, other suggested changes prompted by recent rentals.

**MOTION** by Supervisor Disterhaft, second by Supervisor Krings to revise the town hall rental terms with revisions being made to the topics of Reservations, Restrictions, Snow Removal, Doors and Windows, and a stipulation about renters being charged for any time needed to return building and grounds to original condition.

Motion carried on a 3-0 voice vote.

### **REPORTS:**

#### **Road Supervisor's Report**

- A number of cross culverts changed already.
- County should jump on most of the paver patching and get it done quickly.
- Street signs are in progress.
- Resident concern about Rivermoor mentioned; some potholes not filled completely and some not filled at all, mainly north of Springbrook.

#### **Clerk's Report:**

- **Communications:** Algoma Sanitary District sent us their Annual Report. Will be placed on file in the Clerk's office.
- **Open Records Request:** No new requests this month, just an update to the one last month from Attorney Heath Mynsberge on behalf of his clients Brian and Sherry Seaman asking for all communication records between town officials and any agents of the town and the Seamans and any of their agents. Was on hold as of last month's meeting because clerk was awaiting clarification of his request and had not heard back yet from the email sent two weeks prior. Received clarification a few days after last month's board meeting, in a letter from Mr. Mynsberge stating, "In order to avoid any delay, an advance payment of \$100 is being provided so you begin work on the matter at once. If additional funds are required, please advise." Clerk began work on the matter, and once complete provided a Notice of Fees in the amount of \$655.55, noting that after deducting the \$100 advance payment, a balance of \$555.55 remains and that the records will be made available upon the town's receipt of payment. Mr. Mynsberge replied asking for all supporting documents to substantiate the fees and stated, "I seriously question the legitimacy and appropriateness of this request and it seems like further bad faith from the Town." Clerk replied indicating the costs to the town were not composed in bad faith but were a direct result of a large-scale request for communication records in which not only were the town's own records requested, but also the records from outside entities that act as "agents of the town" as was indicated in his request. These entities do need to provide the records, but they are private businesses and don't have to eat the cost of the time required to locate them, and thus, have charged the town for locating their records. Clerk also attached all the supportive documentation to that email. That was April 28 and thus far the town has not received any other reply and the town has not received any additional payment. The records are still sitting on clerk's desk.

Town Board requested a letter be sent to Attorney Mynsberge requesting payment for the locating of the records he requested. Could meet again before Board of Review, if necessary and payment is not made by that time, to consider legal remedy.

- **Town Code Update:** Just today, Clerk Woods and Chairman Noe received an update from General Code where they shared a Digital Manuscript, Editorial and Legal Analysis, and Code Reference Documents. We are now to review all of that and set up a meeting with their staff to go over things.

#### **Planning Commission:**

- Chairman Noe shared that Supervisor Krings graciously volunteered to help with park maintenance, along with Phil Ertmer.
- Hwy 21 Corridor Study survey report will be ready for next Planning Commission meeting. Additional meeting is an option.

**Attorney's Report:**

Deadline for both property letters sent previously was May 9. One indicated it would not be enough time and would need an extension. Other has done some clean-up. Per Supervisor Krings, vehicles have been removed on that one.

**Supervisors' Report:**

None at this time.

**Chairman's Report:**

- Recycling grant - we did meet our eligibility and it is filed.
- Attended MS4 meeting; think we are pretty well positioned, thanks to the work with Strand.
- There is a water service that needs to be replaced in Sandhill Farms. It was damaged last year, when fixed last year it now has bubbling ground water. So hopefully will find a way to fix that.
- Also been getting questions about stormwater issues at Ormand Beach.

**Meeting Minutes**

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve meeting minutes from regular board meeting on April 18, 2022. Clerk Woods noted a date correction needed in Attorney's Report. Everyone agreed with correction.

Motion carried on a 3-0 voice vote.

**Treasurers Report**

Treasurer not present. Reconciliation report was provided.

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve Treasurer's report as printed.

Motion carried on a 3-0 voice vote.

**Accounts Payable**

**MOTION** by Supervisor Krings, second by Supervisor Disterhaft to approve accounts payable in the amount of \$56,652.81.

Motion carried on a 3-0 voice vote.

**Upcoming Meetings or Workshops**

None mentioned at this time.

**Agenda Items for Next Meeting**

- Phone System
- Date of September Meeting

**Adjourn**

**MOTION** by Supervisor Disterhaft, second by Supervisor Krings to adjourn the meeting at 8:02 p.m.

Motion carried on a 3-0 voice vote.

Submitted by Dana Woods, Town Clerk  
Approved by Town Board June 20, 2022