



MINUTES OF MONTHLY MEETING OF THE OMRO TOWN BOARD OF SUPERVISORS

DATE: July 17, 2023 **TIME:** 6:00 p.m. **LOCATION:** Omro Town Hall, 4205 Rivermoor Rd.

Regular Meeting Call to Order

The regular monthly meeting was called to order at 6:00 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, Treasurer Brenda Pluchinsky, and Attorney Karen Marone were present.

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.

Community Policing Discussion with Sheriff's Department Representative

None.

Discuss Request to Sell Unused Portion of Cemetery Land

The Sheas presented some additional information they had found and recapped some communication had with the Wisconsin Historical Society and Burial Board. Sheas requested the town notify the state that the town would like to have the unused portion of uncategorized as cemetery land. Would be the first step toward any purchase. Chairman Noe commented that it would be good to have done regardless.

MOTION by Supervisor Disterhaft, second by Chairman Noe, to have the town send the request to have the land uncategorized.

Motion carried on a 2-0-1 voice vote, with one abstention from Supervisor Krings.

Additional comment by Chairman Noe that this process will also give us time to figure out the legal description of the property.

Adopt Resolution 2023-07 Appropriating Winnebago County Spirit Funding

Official town board action to this effect is one of the criteria required to accept the funding.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to adopt Resolution 2023-07 Appropriating Winnebago County Spirit Funds in the Amount of \$145,000 for Town Road Improvements.

Motion carried on a 3-0 voice vote.

Discuss Any Potential Town of Omro Applications for Winnebago County Spirit Fund

Chairman Noe explained that there is additional funding available through the Winnebago County Spirit Fund and explained some of the parameters to those in attendance. Suggested that anyone with an idea could either mention it to the town board, or even propose projects to the county on their own.

Consider Disallowance of Claim by Paul Brockman Dated April 26, 2024

Advised by Rural Mutual based on previous communication on the matter.

MOTION by Supervisor Krings, seconds by Supervisor Disterhaft to disallow the claim by Paul Brockman as communicated in a notice served to the town on April 26, 2023.

Motion carried on a 3-0 voice vote.

Discuss Whether to Consider Investigating Potential Yard Waste Disposal Options for Residents

Chairman Noe explained that we have been getting requests for a place residents can take yard waste.

Wondered if the town should explore allowing people to use the dump site with a dedicated dumpster for it and what it would end up costing the town. Perhaps we could approach the City of Omro to see if they would be willing to let non-residents use it (perhaps at a non-resident rate). Supervisor Krings suggested he would prefer to explore that option first. Chairman Noe indicated we will reach out to the City of Omro about the possibility of this.

Consider Application for Fermented Malt Beverages for Fox Valley Trap Club for the Remainder of the 2023-2043 Licensing Period

Denied last month based on incomplete application materials and lack of fee payment. Clerk Woods indicated the application is complete and fees have all been submitted at this point.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve Fermented Malt Beverages license for Fox Valley Trap Club.

Motion carried on a 3-0 voice vote.

Consider Operator License Applications for 2023-2024

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve Operator Licenses for Mackenzie Blythe, Elizabeth Henry, Alexandria Snyder, Branson Spanbauer, Michael O'Connell and Michelle Ellis.

Motion approved on a 3-0 voice vote.

Road Supervisor's Report:

- Not a whole lot more to decide on in terms of additional work; still waiting on this month's highway bill to know where we stand with the budget.
- Chairman Noe asked if anyone knows of areas of need to let him know, especially with trees obstructing any signage.
- Come to the town's attention that personal property is parked in town's right of way on Parada Road. Was brought up when the county went to do some paving. Chairman Noe asked Attorney Marone if sending communication to remove within 30 days would be appropriate. Will be done.

Clerk's Report:

Correspondence:

- Michelle Strauss from The Horton Group requesting that we allow her to quote for the Town's insurance policy.
- Alyssa Reinke from NEWSO would like to set up a meeting with the board, if interested, since they have never met anyone from the town yet.

Open Records Requests:

- July 6: Vincent Espi, a news reporter from a media organization called The Sconi requested *"Completed Absentee Ballot Applications and each applicant's attendant proof of identification for each election year from 2018 to the present day."* The request went on to state, *"As a member of the media, I am involved in gathering and reporting news to the public. Access to public records is essential for me to fulfill my professional responsibilities, which include holding public institutions accountable and providing transparency to the public. Given my role in disseminating information, I believe I am eligible for a fee waiver as a media professional."*

Clerk Woods responded to Mr. Espi and made him aware that clerks are only required to retain Absentee Ballot Applications for 22 months, so we would not have these dating back to 2018, as he requested. Regarding his request for the proof of identification provided with absentee applications, the clerk informed him that while the WI Department of Transportation DOES have an administrative rule that allows either the ID holder or the clerk to make a copy of a State issued ID or Driver's License for the purpose of providing identification, state statutes strictly prohibit the clerk from transferring that copy or image to a third party. Additionally, not all absentee ballot applicants are required to supply a photo ID upon application anyway.

Clerk Woods further explained members of the media are not exempt for paying actual costs associated with providing public records, and told him if he would like to revise his initial request and narrow the focus of it to records we can actually supply him with, we would then provide him with a Notice of Estimate of Fees and begin the work.

- Also on July 6: Trevor Damkot from Alpine Insulation requested the building permit report for June. I emailed him the log we get from the town's building inspector after I received it.

Planning Commission:

- Spent a lot of time at this month's meeting talking about potential overlay criteria.
- Also shared the criteria and asked members if they had any ideas on to apply for Spirit Funds.

Attorney's Report:

- Town Law Conference is October 6.

Supervisors' Report:

- Supervisor Krings asked about a property issue at 4226 Hayfield- Chairman Noe will look into it more to see what we can do about it, if anything.
- Supervisor Krings mentioned another property complaint brought up on Reighmoor. We can put it on the next meeting agenda to discuss further.

Chairman's Report:

- Did have meeting with County Executive to discuss concerns with IDB funding; he conveyed support for giving the town it's allocation.
- Individual looking to purchase a property on 116 met with Planning Commission but in order to do what they wanted to do on the property, the town would need to amend its comprehensive plan. Since that's

not on the table right now, he's approached the City of Omro to have that property annexed into the city. Not sure how that would help his intent since our comprehensive plans match. Did reach out to the mayor on it. Their Planning Commission seemed agreeable to it. May need to take action on it at a future meeting.

- Recent zoning legislation passed relating multi-family zoning reducing the ability for aggrieved parties to object. Had meeting with Representative Schraa to discuss and shared concern about local control being whittled away. He seemed to think the WTA was OK with it. Good meeting but may need to advocate on that issue. Likely no imminent effect on our town, but still not good to have local control continue to be taken away.
- Still waiting on Sandhill's final revised drainage easement to record. Needs to be done before houses in that next phase can be built. Asked Attorney Marone what legal steps will need to be taken to revise this in terms of affected neighbors. She will let us know what procedures will be required.

Meeting Minutes

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve the June 19, 2023 town board minutes.

Motion carried on a 3-0 voice vote.

Treasurer's Report

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve the June Treasurer's report as presented.

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 \$63,789.21

Motion carried on a 3-0 voice vote.

Upcoming Meetings or Workshops

None mentioned

Agenda Items for Next Meeting

None other than property issues mentioned in Supervisor's Report.

Closed Session

MOTION by Supervisor Disterhafts, second by Supervisor Krings to go into closed session at 6:59 p.m. pursuant to Wis. Stats. Sec. 19.85 (1)(g), to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, related to:

- a. Ross/Wagner Litigation

Motion carried on a 3-0 roll call vote.

Adjourn

MOTION by Supervisor Disterhaft, second by Supervisor Krings to adjourn the meeting from closed session at 8:13 p.m.

Motion carried on a 3-0 roll call vote.

Submitted by Dana Woods, Town Clerk

Approved by Town Board August 21, 2023