

**Annual Town Meeting – April 18, 2023**  
**Otter Creek Town Hall – E5905 County Rd S, Wheeler WI**

Annual Meeting was called to order by Chairman Warner at 7:00 pm on Tuesday, April 18, 2023. In attendance were board members:

Chairman Mark Warner  
Supervisor I Cecil Hayes  
Supervisor II LeAnn Ralph

Additional attendees: Clerk/Treasurer Bev Bernier  
Patrolman Gary Anderson

Guests - residents: Denise Axness, Gary Axness, Kelley Hayes, Jordan Hurst, Randy Simpson, Bob Bernier, Roberta Preston

Non-resident: Dylan Deringer, Megan Frank (Woodwind Park), Liz Sieben and Chad Boyd (Too Mixed Up), Dean Hause (Senn Blacktop), Alex Hollister (Monarch Paving), Rob Newcomb (Superior Sealers, LLC)

**NOTE:** we will first hear any **BIDS ON THE PAVING PROJECT:** 1030<sup>th</sup> Avenue beginning at 600<sup>th</sup> Street going east approximately ½ miles and ending 20 feet east of the driveway at E6202 1030<sup>th</sup> Avenue.

**Blacktopping – Senn Black,** finish grade, water, and compact pulverized road. Deliver and install 2” compacted hot mix asphalt using two pavers. Wing out 2’ for driveways and field entrances. Sawcut existing blacktop at the beginning and end of project to allow flush joint match, 20’ x 2682’. Bid of 711 tons @ 104/ton – total cost of \$73,944.00

**Blacktopping – Monarch,** 2,666 l.f. of roadway, fine grade, water and compact existing pulverized material. Construct 20 ft x 2” average compacted thickness HMA pavement. Two ft kickouts at field entrances and driveways. Pave HMA pavement in one – 2” lift. 4LT58-34S Warm Mix Asphalt. Project completed no later than October 1, 2023. Pave with two pavers. Bid of 704 tons @ \$87.98/ton – total cost of \$61,937.92.

We will get this grinded, see regular meeting minutes below.

*Monarch is the low bidder. Hayes made a motion to accept the bid of Monarch Paving Company, second by Ralph, MC.*

**CRACK FILLING:** 710<sup>th</sup> Street beginning at County Road N going south to 970<sup>th</sup> Avenue approximately 1.3 miles.

**Superior Sealers, LLC,** - Crack fill, 1074 lbs – \$2,739 total bid

**Scott Construction** – Crack fill, 1,210 lbs - \$5,130 total bid

**Fahrner Asphalt Sealers** – Crack fill, 1,600 lbs - \$9,600 total bid

**Thunder Road LLC** – Crack fill – \$12,250 total bid

*Superior Sealers is the low bidder. Hayes made a motion to accept the bid of Supervisor Sealers, LLC, second by Ralph, MC.*

**RETURN TO ANNUAL MEETING – 7:10 p.m.**

**Advertising** - Warner stated the Colfax Messenger had advertised the meeting in their paper plus notices had been posted on the Town Hall door and the Otter Creek website.

**Minutes from the 2022** Annual Meeting were read by the Clerk/Treasurer Bernier. Ralph made a motion to accept the minutes as so read, second by Hayes. Carried = 11 residents, 0 opposed.

**Annual Financial Report** was presented by Bernier, which shows the revenues and expenditures related to the year of 2022. Recipients were asked to review the report on their own and submit any questions at the May meeting. Ralph made a motion to accept the financial report as presented, second by Hayes. Carried = 11 residents, 0 opposed.

**Noxious weeds**, per WI Stats Sec 66.04, was announced and explained by Warner that Otter Creek residents need to control and destroy all weeds listed under the Statute.

**2024 Annual Town Meeting** will be held on the third Tuesday of April, 2024, being **April 16, 2024**, at the town hall according to state law requirements. The motion to approve the 2024 Annual Town Meeting date was made by Ralph, Hayes second. Carried = 11 residents, 0 opposed. Regular Town Board meeting will also follow.

**Permits/Ordinances:** Warner announced those in effect for Otter Creek are building, driveway, zoning, fire and burning, trailer, Uniform Dwelling ordinance, UTV/ATV ordinance, and sand mining regulations, etc.

**Roadwork project for 2023:** 1030<sup>th</sup> Avenue beginning at 600<sup>th</sup> Street going east approximately ½ miles and ending 20 feet east of the driveway at E6202 1030<sup>th</sup> Avenue. **CRACK FILLING:** 710<sup>th</sup> Street beginning at County Road N going south to 970<sup>th</sup> Avenue approximately 1.3 miles. Miscellaneous graveling as needed.

Chairman Warner asked if there was any other business to discuss. No response was heard.

Ralph made a motion to adjourn the 2023 Annual Town Meeting at 7:27 pm, Hayes second, MC.  
Respectfully submitted, Bev Bernier, Clerk/Treasurer

### **Town of Otter Creek - Regular Town Board Meeting – April 18, 2023**

Meeting was called to order by Chairman Warner at 7:20 pm. In attendance were board members:

Chairman Mark Warner

Supervisor I Cecil Hayes

Supervisor II LeAnn Ralph

Additional attendees: Clerk/Treasurer Bev Bernier, Patrolman Gary Anderson

Guests - residents: Denise Axness, Gary Axness, Kelley Hayes, Jordan Hurst, Randy Simpson, Bob Bernier, Roberta Preston

Non-resident: Dylan Deringer, Megan Frank (Woodwind Park), Liz Sieben and Chad Boyd (Too Mixed Up)

Immediately following the annual town meeting on Tuesday, April 18, 2023, at 7:20 p.m., chairman Mark Warner called the regular town board meeting to order. Attendance at this meeting were the people listed above who attended the annual town meeting. Advertisement of this meeting was also the same as listed under the annual town meeting.

**Meeting minutes** from the March 14, 2023 regular board meeting were not read by Bev Bernier as Warner, Ralph and Hayes reviewed the minutes prior to tonight's meeting and agreed that the minutes did not need to be read. Ralph approved the minutes as presented, second by Hayes, MC.

**Sales – Special Assessment Report Requests:**

Closing date 3/27/23 - Property Address: N11194 730th Street Wheeler, WI 54772

**Current Owner:** Callie Laz Davis, f/k/a Callie L. Recknagel and Micah Laz Davis

**Buyer:** Taya Schulte and Seamus Fitzgerald

Closing date 3/15/23 - Property Address: XXX 1058th Avenue Wheeler, WI 54772

**Current Owner:** Kevin P. Parsons and Ann M. Parsons

**Buyer:** Samantha R. Halopka and Kerry G. Halopka

**Weber** Inspection March report –

- 3/15/2023 Long/Boyle permit issued for addition

**Land Use Permit** – Christine Long & Matthew Boyle (addition to home)

**Address assigned** for Stacy and Jesse Erickson – N11833 County Road SS, Wheeler WI

**Wisconsin Towns Association** 2023 Dues \$806.55; (\$65.61 increase from 2022, \$52.47 prior year inc)

**Clarification of November 15, 2022 fence stay** - The November 9, 2022, Notice of Claim filed by the Deringers was not acted upon by the Town of Otter Creek Town Board, and thus was deemed to be denied effective March 8, 2023. At the November 15, 2022 regular Town Board Meeting, a Motion was made by Ralph to extend the fence stay until the fence line matter is resolved, second by Hayes, motion carried. The intent of the Motion is to extend the fence stay until all pending and potential legal actions, notices, and lawsuits have been filed and concluded. The fence stay is in effect until all such legal matters have been resolved and time frames for such filings, and actions thereon, are exhausted. Motion by Ralph to approve clarification of November 15, 2022 fence stay as stated above, second by Warner, MC. Hayes abstain. The Town of Otter Creek is not responsible for any costs incurred with any fence construction. The Court will issue an order concerning the construction of the fence which the Town of Otter Creek will comply with.

**Review and possible action on Notice of Claim received March 15, 2023.** 120 days for the Town Board to respond, which is July 13, 2023. Deringers have six months to request review of fence determination. The 3/8/2023 denial of NOC results in 9/8/2023 deadline to request review. Motion by Ralph to table any NOC action until future meeting, second by Warner, MC.

**Tavern license application received from Too Mixed Up.** Review & possible approval of original license application from 5/1/2023 to 6/30/2023, and renewal license application from 7/1/2023 to 6/30/2024. Ralph made motion to approve the original license application T-1-2023, Hayes second, MC. Ralph made motion to approve the renewal license application T-2-2023, Hayes second, MC.

**Tavern license renewal application sent to Woodwind Park and received 4/19/2023.** Board to authorize publication of application and renewal license application. Ralph made motion to approve the renewal license application T-3-2023, Hayes second, MC.

**Review and possible approval of .gov email addresses** for Chair and both Supervisors. Town is not eligible for additional grant money for obtaining .gov emails. Town Board can do town business on line through the website. Warner made a motion to move ahead with obtaining .gov email addresses for town board, Ralph second, MC. Clerk to work with Randy Simpson with any additional information needed.

**Review and possible updating of Town of Otter Creek ATV/UTV ordinance,** review trail/route signing responsibilities and other details of the ordinance. If we have no enforcement ability, in best interest of town to close all trails. Table review for now, wait to see what the County ends up doing regarding ATV/UTV ordinance and trails. There may be funds available for signage. Motion by Ralph to table until May meeting, Hayes second, MC.

**Town Emergency Operations Plan** – update as needed with new Chairperson and Supervisor. Clerk to provide Dunn County with updated Plan. Ralph made motion to approve the updated resolution, Hayes second. MC

**Election Contingency Plan** – review and possible updating as needed. Motion to make no changes, our contingency plan still include using Warner’s residence for emergency situations. Motion by Ralph to leave Election Contingency Plan as is, Warner second, MC.

**Skid steer** - Discussion and possible action pertaining to sale of the skid steer/Bobcat. Works really well. Not use that much, use grader for patching. Small patching to do. Backhoe is used a lot, close to 6,000 hours. Roads really need fixing at 18 years. Could use for patching. Motion by Ralph to authorize the clerk to list the skid steer on Wisconsin Surplus Auction website, Hayes second, MC.

**Road inspection** - Set date for town road inspection – 4/29/23 Saturday, 7am, town board meet at townhall. Clerk will post notice on town hall door.

**Upcoming dates:**

- Dunn County Unit of WTA – Monday, April 24, 2023, 6:30 pm Judicial Center – Bernier’s to attend.
- Open Book – May 2, 2023 – 10 a.m. to noon
- Board of Review – May 9, 2023 – 7 p.m. to 9 p.m.

- Clerk training (Bev and Roberta) –
  - 5/5 Rice Lake – WMCA District Meeting – includes BOR training (\$25)
  - 5/15 Eau Claire – WTA 2023 Spring Town Officials Workshop (\$75)
 Ralph made a Motion to approve the clerk training, Warner second, MC.

**Report from Patrolman** on Road Work/Equipment. Sinz wants to haul limerock on 690<sup>th</sup>, Warner told him to wait, Sinz can only do on Fridays. Gary graded it once, potholes are right back. Plan was for 10 loads, Sinz can spread it, Gary can grade it on a Monday. County road bans re off, but town road bans are still in effect because many of the town roads are shaded and there are boils in the road.

**Pulverize - Quote from A-1 Excavating to pulverize 1030<sup>th</sup>, which will be repaved. Quote for \$4,048, 7/10<sup>th</sup> of a mile. Hayes motion accept quote from A-1, Warner second, MC. Warner will send email that we approved. Clerk to print off another copy and email to Douglas Johnson at A-1.**

Muddy roads, 730<sup>th</sup> needs something done this year, 600<sup>th</sup>, and by the turkey sheds. No limerock on 610<sup>th</sup> by the turkey sheds. 730<sup>th</sup>, mile on the south end, this is very muddy. Little gravel on top, not good. Review during road check. Grader patching this year would be good. Would like to do a lot of limerocking if possible, boils on the road on 1180<sup>th</sup> by Edna Flatland. No sign of this last fall. Delivery trucks are hard on the road. Cleaning up January ice storm. Culvert north of Bill Flatlands is like a sponge, water went under the culvert. 1110<sup>th</sup> below the hill by Rice's there is a culvert that has water run under it, spring there. Fixed it today. Rutting 6 inches deep. Duncan Hill has a spot below the trees that is really soft. Sinz said the culvert on 690<sup>th</sup> may need attention. Did not get this graded last fall, but fixed with the grader. If failing, put a 3 foot culvert there.

**Treasurer's report:** Balance sheets handed out.

Checking account:	\$ 37,840.88
Tax account:	\$167,034.29
Equipment account:	\$45,250.11

Motion to accept the treasurer's report made by Hayes, seconded by Warner. MC.

**Bills:** were all reviewed for payment, and authorized by the Town Board.

**New board members - Oath of Office** for LeAnn Ralph, Chair; Cecil Hayes, Supervisor 1; Bob Bernier, Supervisor 2.

**Clerk to update the Life Insurance,** removing Mark Warner and adding Bob Bernier.

**Motion to adjourn by Hayes,** Ralph seconded. Motion carried. The meeting was adjourned at 8:40 pm.  
Respectfully submitted – Bev Bernier, Clerk/Treasurer

**CONTACT PHONE NUMBERS IN ORDER OF CALLING:**

Gary Anderson – 715-658-1483	Bob Bernier – 715-577-6310
Cecil Hayes – 715-577-6634 (cell)	Town Shop – 715-658-1319
LeAnn Ralph – 715-308-6336	Bev Bernier - 715-658-0131
Chuck Boyer – 715-600-4149	