

**Town of Otter Creek –Budget Meeting**  
**Special Town Board Meeting to adopt tax levy; and**  
**Regular Town Board Meeting - 7 p.m. - 11/14/2023**  
Otter Creek Town Hall – E5905 County Road S, Wheeler WI 54772

**Attendees:**

Chairman LeAnn Ralph\*

Supervisor 1 Cecil Hayes\*

Supervisor 2 Bob Bernier\*

Clerk/Treasurer Roberta Preston

Outgoing Clerk Bev Bernier

Guests: Residents: Randy Simpson, Pat Sand, Gary Axness, Denise Axness, Steve Pember

Non-Residents: Tyler Daigle, Chuck Boyer, Josh Nave, Corey Carlson, Gary Anderson (Patrolman)

\*Board Members

**BUDGET HEARING**

The Budget Hearing Meeting was called to order by Chair Ralph at 7:00 p.m. on Tuesday, November 14, 2023. In attendance were three board members, plus seven residents and five non-residents. Clerk had posted notices on the Town Hall door, the Town Website, two additional places within the Town, and published the proper notice in the Colfax Messenger.

The 2024 proposed budget was presented by Preston, Clerk-Treasurer, and some discussion followed. After some discussion, there were no changes to the budget as it was presented. Revenue and expense budget for 2024 of \$380,900. Ralph made a motion to adjourn the Budget Hearing Meeting at 7:12 p.m. Hayes second, MC.

Respectfully submitted – Beverly Bernier, Clerk/Treasurer

**SPECIAL TOWN MEETING**

The Special Town Meeting was called to order by Chairman Ralph at 7:13 p.m. on Tuesday, November 14, 2024. All people as noted above were in attendance, plus advertising as noted above was done so as stated. This year's allowable tax levy for Otter Creek is \$118,418, with an increase of 0.813% for net new construction, bringing the levy to \$119,381, plus \$14,442 general obligation debt for the town truck payment, totaling \$133,565 for the 2023 payable 2024 allowable levy. This is compared to \$132,602 in 2022, payable 2023, as allowed by the State of Wisconsin.

Hayes made a motion to accept the 2023 Town Tax Levy as \$135,565 allowable figure to be used in the 2024 budget pursuant to Section 60.10(1)(A) Wis. Stats. Bernier seconded the motion, MC. Opposed – 0.

Ralph asked for a motion to adjourn the Special Town Meeting at 7:16 p.m. Bernier made a motion to adjourn, Hayes seconded the motion. MC.

Respectfully submitted – Roberta Preston, Clerk/Treasurer

**REGULAR TOWN BOARD MEETING**

The Regular Town Board Meeting was called to order by Chair Ralph at 7:16 p.m. on Tuesday, November 14, 2024. Same people were in attendance, plus advertising had been done as stated above.

Meeting minutes were not read by Clerk Preston as Ralph and Bernier reviewed the minutes prior to tonight's meeting and agreed that the minutes did not need to be read. **Ralph motioned to approve the minutes as presented. Hayes seconded. MC.**

**Public comments-** Update on Wisconsin Towns meeting from Bev Bernier. Bridge Aid 2024 projects over 20' will no longer be approved. Eligible projects will be 6' to 19' 11" and this will be in the 2024 budget for the County. County paved about 13 miles in 2023. For LRIP - there is 1 project per county and only 1 large project per district. WTA is now all electronic. Shared revenue went from 5.6% to 10.5%, or \$42 million to \$104 million. Rural counties are urban driven because of the highly populated urban areas, so rural areas will have decisions made that affect them by the urban group. State budget has 40% of the budget toward education, more toward roads, and they hope to reduce borrowing. Working on bill LB-4305, elected clerks moving to appointed, clerks servicing more than 1 town, consistency in budget meeting notices. Bill 4343- speed limits of 55, lowering to 35 mph. If you get money from supplemental program you can't set a weight limit on roads.

**Discussion and possible decision on variance request of Corey Carlson (N11889 County Road SS, Wheeler WI) to create a three-acre lot when the Otter Creek ordinance requires a five-acre minimum lot size.** Outlot is access 180 feet wide and 1,320 feet long and intended as access to the rest of the property. Carlson would like to build a cabin, but outlots are not buildable lots. Does not meet county standards of a 4:1 ratio (width to length) for a buildable lot. A three-acre lot would meet the county standard of a 4:1 ratio if it was changed from an outlot. Other alternative is to ask town for a variance for a 3 acre lot instead of 5 acre lot. One question: where would the access be if they cut out 3 acres? Would have to vary from Otter Creek's 5 acre minimum. Carlson can apply to the County for a variance on the 4:1 ratio.

Two other instances this year of town residents wanting family to live closer, but in those two instances, the landowners subdivided five acres to meet the town's standard in the ordinance.

**Hayes motions to deny an Otter Creek variance to three acres, Bernier seconds. MC**

**Hayes made a motion to adopt the 2024 budget and 2023 tax levy** to be paid in 2024 as presented, Ralph seconded the motion, MC, Opposed – 0.

**Update on 710<sup>th</sup> Street repair (Hakes/Baughman logging damage)** - Senn will honor price for this year and put Otter Creek on the schedule for next year.

**Update on trimming branches on 1030<sup>th</sup> Ave-** Oak tree over the road, too big for patrolman. Shackleton sent someone out today and will send out in the next week or two. Resident want the wood. Quote of \$250. Township right of way so township will pay for it.

**Update on 570<sup>th</sup> road right-of-way width-** Hayes said pre1930 is where records would be located. Road makes a corner, 50 feet right of way as per Wis Information System on Local Roads (WISLR) database. Line landowner dispute, twice in the past 30 years, point was found and those lines have been addressed, but in the drawings it's not drawn one side following the road, one side following a straight corner. Following the straight corner would give the other landowner room to put in a driveway. Landowner already has access on east end. Town of Otter Creek would not be able to approve a driveway permit from the corner at this point. Road has already been established. We are not in the position to say that the ROW is any different than it always has been, until proven differently. Sheep

fence found on north and west 24-25 feet from the center of the road. Surveyor will contact Dunn County Historical society. Ralph says the fence means something since there is case law that established “ancient” fences as setting the right-of-way if the town has not been maintaining the ROW beyond the fence. 1927 is when the road was originally connected. 49-1/2 feet. 66ft was shown when they came through with the pipeline. Powerline was also showing 66ft. Town board did not know where WE Energies and Xcel Energy got the information for a 66 ft ROW, perhaps an assumption on the part of the companies. Surveyor states ROW mirror image of center line.

**Update on WISLR and Paser Report** – 1030<sup>th</sup> Paving was added. 600<sup>th</sup>-2023 listed as a 3 (Tower Road). 690<sup>th</sup> 10<sup>th</sup> of a mile 3/10<sup>th</sup> of a mile. 690<sup>th</sup> 103 ft coming from N 2123 ft 1478 ft 690<sup>th</sup> rated at a 9. Rest rated at a 5. 710<sup>th</sup> had been crack-sealed. 1090<sup>th</sup> to 765<sup>th</sup> closed-Still on the Paser as open. 690-693 2-10 mile should be removed as well. 670<sup>th</sup> is listed on WISLER.

**Update on Colfax Fire Board Meeting-** Did not have a quorum the evening of October 12th. Meeting was held on the 26th. New fire engine, will be delivered Oct 2025. Two CDs for a total of \$300,000, one CD at Bremer Bank and one CD at BMO Bank @5% interest. \$20,000 for next 3 years continued to be set aside in the annual budget for equipment replacement. The fire board has been setting aside \$20,000 per year for equipment replacement since the fire station was built in 2012. Any surplus at the end of the budget year for each year also has been placed in the equipment replacement fund. Hoping for \$30,000 in interest. Hopefully will have \$400,000 out of \$575,000 saved for fire engine. The remaining amount will be paid by the members of the fire district (Village of Colfax, Town of Colfax, Town of Grant and Town of Otter Creek) according the percentage of equalized value in the fire district. Otter Creek has about 20 percent of the equalized value in the fire district.

**Notifying town residents to clear driveways of overhanging tree branches and to make sure their fire numbers are easily visible-** Residents of Otter Creek are advised to keep driveways cleared of trees, limbs and any encumbrances a minimum of 15 feet wide and 15 feet high for emergency vehicles to access your residence. Fire numbers must be clearly visible from the road, again for emergency vehicle use. Not following these specifications may result in delayed response to emergencies by response personnel. Please be sure to have open and safe pathways to your home in the event personnel need to enter your residence. Thank you on behalf of the Colfax Rescue Squad and the Colfax Community Fire Department. Will include with SWR tags mailed out at end of year.

**Discussion and possible action on appointing an alternate from Otter Creek Town Board to attend fire board meetings if the chair cannot attend** – Hayes volunteers as first alternate, Bernier volunteers for second alternate as long as notice is given to when the meeting is. **Ralph motions to appoint Hayes at first alternate and Bernier as second alternate for the fire district meeting, second by Bernier. MC**

**Review and possible action of the 2024 Humane Society contract-** \$253.98/Quarter, no change from last year. **Hayes motions to approve 2024 contract, Ralph seconds. MC**

**Discussion and decision on the Town of Otter Creek becoming a member of the 2024 Town Advocacy Council-** cost of \$132.25/year or \$198.38/18 months. We already subscribe the minimum through Wisconsin Towns and is very beneficial for legal help. No change. Will not become a member of the Town Advocacy Council for the year of 2024.

**WI Elections Commission Memorandum of Understanding for BadgerBooks** – Agreement for the township to use BadgerBooks in the elections, town chair will sign. County will sign, then MOU sent back to WI Elections Commission.

**Discussion and possible action of Monroe Heavy Vehicle Federal Excise Tax Exemption Certificate**- This is for the town truck. Chair will sign.

**2024 Building Inspector Contract** – Fred Weber. No changes to his current fee schedule. Contractors and/or home owners pay the building inspection fees and there is no cost to the town. **Bernier motions to approve the contract, Hayes seconds. MC**

**Building Inspector** – No monthly activity report from Fred Weber for October

#### **Special assessments-**

- Dunn County Title
  - N9826 550<sup>th</sup> Street, Colfax
  - Seller: Neil M and Phyliss A Schlough Revocable Living Trust
  - Buyer: Lee

#### **Zoning permits-** None

Sands wants to put trailer up, has septic and well. Wants to know what can be done to put in another trailer. Did have 9 acres but now down to 7. DC zoning is working on accessory dwelling units ordinance. Within the next couple months will probably have an ordinance ready for county board approval. Town has 5 acre minimum. Resident was told to contact DC zoning

Corey Carlson- too narrow, needs to be divided up. Outlot is not buildable. Should talk to the County zoning, chair believes can have a camper for 180 days out of the year.

#### **MFL Updates**

##### **Driveway permits**

- Larry Kallenbach-D-6-2023

##### **Timber cutting permit**

- Landowner: Sergey Zazovskiy, Menomonie – Logger: Travis Anderson
- Landowner: Suzanne Kallenbach, Wheeler – Logger: Travis Anderson

**Patrolman's report on road work/equipment** – New tires on back hoe, other tires rotated. Wider, bigger, really aggressive tires. Satisfied with tires. Second new culvert on 690<sup>th</sup> installed in preparation for paving in 2024. Salt/sand is here, ready to go for winter. Part of load short on salt/sand but should have plenty.

#### **Auditing of bills for payment**

**Review Treasurers' report**- Hayes motions, Bernier seconds to accept the treasurer's report. MC

**Any other business** Need to set up time for employee evaluations. Chair will contact patrolman to figure out a time. Board will need to meet and discuss.

<b>Clerk went through the finances.</b>	Equipment Account -	\$61,172.91
	Tax Account -	\$48,226.84
	Checking Account -	\$73,098.32

**ADJOURN-** Bernier moved to adjourn the monthly meeting, seconded by Ralph. Meeting adjourned at 8:28 pm.

Respectfully submitted – Beverly Bernier, Clerk/Treasurer

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

Gary Anderson – 715-658-1483; LeAnn Ralph – 715-308-6336;

Bob Bernier – 715-577-6310; Cecil Hayes – 715-577-6334

Beverly Bernier – 715-658-0131; Town Shop - 715-658-131