

**Town of Otter Creek – December 10, 2024**  
**Otter Creek Town Hall – E5905 County Road S, Wheeler WI**  
**Regular Town Board Meeting – 7 p.m.**

**Attendees:**

Chair LeAnn Ralph\*  
Supervisor 1 Cecil Hayes\*  
Supervisor 2 Bob Bernier\*  
Clerk/Treasurer Bev Bernier  
Patrolman Gary Anderson

Guests: Chuck Boyer, Jon Robinson, Walt Ruben via phone

\*Board Members

**REGULAR TOWN BOARD MEETING**

The Regular Town Board Meeting was called to order by Chair Ralph at 7:00 p.m. on Tuesday, December 10, 2024. Meeting minutes from the 11/12/2024 Budget/Special/Regular Board Meeting were not read by Clerk as the Town Board reviewed the minutes prior to tonight's meeting and agreed that the minutes did not need to be read. Hayes motioned to approve the 11/12/2024 Budget Meeting, Special Town Board Meeting to adopt tax levy and Regular Town Board Meeting minutes as presented, Bernier second, MC.

**Public Comments** - Public Comment is limited to 3 minutes. As per the state's Open Meetings law, there will be no back and forth discussion with the town board. The state Attorney General's guidance is that board members can ask clarifying questions but that back and forth discussion is not advised.

**Jon Robinson** – provided a written request to be placed on the ballot for the position of Supervisor 2 for the Town of Otter Creek. He has concerns with his and Chris Menards fence line. Robinson alleges that Chris Menard has 4 T posts that are no longer in the ground and he submitted photographs of the fence posts. Discussion on a partition fence is if both parties agree that it is a partition fence. Robinson stated that the Town of Grant may do a fence viewing. Clerk will email Robinson information on how the January 14, 2025 Caucus is conducted.

**Communication from Town Chair** – culvert information submitted to the State.

**Communication from Town Supervisors** – none.

**Communication from Clerk** – sale – owner Christie and Lloyd Buttke, buyer Phillips – County Trunk N, Wheeler. Fire bill received for Walt Ruben land, County Road N

**Fire bill discussion** - Discussion and possible decision on Walt Ruben request for local funds for fire bill. Walt Ruben wanted to touch base and understand if there is help available from the town for situations as his fire was started by someone. He has been billed for this. He read the ordinance and understands the sole purpose, hoping to see if the town has some coverage abilities for situations that are a little more rare and no insurance to cover this scenario and the bill from Colfax Fire Department is huge, \$6,800 and would appreciate some review of it. Otter Creek does not have anything in the budget for such fires, we have a yearly tax levy paid based on our equalized levy, we pay 20% of the budget for the Colfax Fire Department. Nothing to cover fire bills. We pay the bill and invoice the landowner for the charges. LeAnn talked to Matt Molback today and he wants to talk to Walt about managing that particular forest. He will check with his colleagues and get phone numbers to see if there is some type of state help for fires such as these. Matt will phone LeAnn back tomorrow with phone numbers. Walt will also follow up with Matt. The right-of-way has gotten absolutely huge in the last 10 years, only a small portion is mowed, all this fuel sitting on the side of the road, could happen anywhere and it comes back on the landowner. Colfax FD said this is really rare where there is not a

home with insurance coverage, not many times people get billed out. Clerk will remind people with tax bills that they are not covered for such fires, need separate insurance. Chair has the sheriff's report on this, clearly tracking someone in the area that has been starting fires. Many people mentioned the same name. Wisconsin liability law, not matter if intentional, unintentional, fire gets away, whoever starts the fire is responsible for paying for the fire. Walt feels that if we point a finger, point at maintenance strategy on the roadside. Was a very dry, windy day. Fire only affected his parcel and his mother's parcel. The County killed the grass on the side of the road, which created fuel for a fire. The town has not reimbursed residents for fires, we will see what Matt Molback and the County have for input. We will get back to Walt Ruben. Place follow-up on January regular town board meeting.

**Set date for Caucus (1/14/2025).** Supervisor Bernier made a motion, second by Hayes to set the caucus for January 14, 2025. MC.

**WTA District Meeting** – BOR training, legislative updates \$65. Saturday, March 15, 2025 - The Florian Gardens Conference Center, Eau Claire. Virtual 3/17/2025.

**Review and selection of Building Inspector Contract.** Reviewed Fred Weber's and Matt Flatland's contracts, seem to offer similar services. Ralph made motion to contract with Matt Flatland, second by Bernier, MC. Clerk to inform both parties.

**Building Ordinance** - Consideration, review and possible amendment of Town of Otter Creek's building ordinance. Revised section 6 that all permits must be obtained prior to moving in a trailer or mobile home and any preowned mobile home. Motion by Hayes to accept the changes to the building ordinance, second by Bernier. MC

**Fuel contracting** - Consideration and possible approval of fuel contracting for April-Nov, 2025, Contract as of today is \$2,699. Supplier believes it will be going down, so suggest we do not contract at this time. Carry forward to January meeting. Supervisor Bernier made a motion to move to January meeting, second by Hayes. MC.

**Electrical hookup permit** - Dunn Energy permit and fee of \$75 received for Pat Sand electrical hookup. Note: Chair submitted an open records request to DNR for 2021 burn incident at Pat Sands. Received a copy of the complaint, referral to Sheriff's department, audio of site visit. New complaint opened by the DNR to follow up on action items from 2021.

Zoning permit – Alaina Anderson 16x24 home, County Rd S (former Tim Hermann prop)

- Weber Inspections – November report

11/5/2024	Williams	Insulation	Passed
11/14/2024	Sand	Electrical Hook-up	Passed
11/14/2024	Sand	Permit Issued	Passed Electrical Upgrade

**Permits** - SW&R permits, dog license reminders, reminder to keep driveways clear for emergency vehicles, reminder to check insurance coverage for fires, mailed out in December.

**Patrolman** - Report from Patrolman on Road Work/Equipment. Attempted to put in culvert in 1180<sup>th</sup>, with nice weather was able to get it all in place. Will need more gravel in the spring. Regraded our town yard, got 3 truckloads full of material and put it on 1180<sup>th</sup>. Spread 12 ton of salt sand, scraped the roads once. Semis parked on our town road, 3 of them, break the blacktop. Gary will talk to Brady. He is not sure how to speak to the painter on this. Look at our ordinance regarding not stacking logs on the road and see if we need to modify. Wants to fix roads with cold mix blacktop, and this will get torn up if semis park on it. Drainage at the

painters farm has not been fixed, it is heading south of his second driveway (farm has 2 driveways). Gary spent a weekend fixing this and put in a new culvert. We sent a letter several years ago. Encroachment on ROW regarding loading.

**Patrolman 2024 year review** - reviewed the Performance Evaluation submitted by patrolman. Gary stated he completed 690th, the culvert is in, he is working on 1180th, worked on road by Sundbys. Gary stated our town truck can pull a trailer, for \$265 we added the heavy hitch in case we pull a trailer or pull the truck out of the ditch. He thinks we would save money if we hauled our own gravel using a trailer. \$10,000 for trailer sitting in Iowa. Questions of: how long does the pole have to be, what is the bridge length. Skid steer for \$15,000. Put on January agenda. Clerk to pull figures together from 2024 what Wirth costs were.

**Treasurer** - Review treasurer's report – motion by Ralph, to accept the treasurer's report, Hayes second, MC. **Auditing of bills** for payment. Bills circulated and approved by the Town Board.

<b>Clerk reviewed the finances.</b>	Equipment Account -	\$62,244.18
	Tax Account -	\$38,370.68
	Checking Account -	<u>\$93,606.26</u>
	Total of all accounts	\$194,221.12

**Any other business – none.**

**SPECIAL CLOSED MEETING** – At 8:30 p.m. Ralph announced that the “special-closed” meeting was per Wis. Stats. Sec. 19.85 (1)(c) considering the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction - patrolman compensation and job performance. Ralph asked if everyone was ready to go into closed session, Motion by Ralph, seconded by Hayes. Ralph – aye; Hayes – aye; Bernier – aye; Motion carried. (Anderson left the meeting). Discussion was held regarding the performance evaluation form completed by the Board and completed by Anderson. After discussion, it was determined that Anderson would receive .25 cents/hour increase, bringing him from \$30/hour to \$30.25/hour. No other changes to his benefit package.

**OPEN SESSION** - At 8:50 p.m. Motion by Ralph, seconded by Hayes to move to open session. Motion carried. The Board then reconvened into open session according to Wis. Stats. Sec. 19.85 (2), to possibly take action on patrolman compensation and job performance. Motion by Ralph to increase Anderson's compensation to \$30.25 per hour, seconded by Hayes, motion carried. Supervisor Bernier and Clerk will deliver the information to Anderson in person.

**ADJOURN** - Ralph moved to adjourn the monthly meeting, Bernier second, MC. Meeting adjourned at 8:54 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  |
| Bev Bernier – 715-658-0131;   | Town Shop - 715-658-1319;   |