

Town of Otter Creek – January 9, 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, Gary and Denise Axness, Matt Flatland

*Board Members

REGULAR TOWN BOARD MEETING

The Regular Town Board Meeting was called to order by Chair Ralph at 7:01 p.m. on Tuesday January 9, 2024. Meeting minutes from the 12/12/2023 Regular Board Meeting were not read by Clerk as Ralph and Bob Bernier reviewed the minutes prior to tonight's meeting and agreed that the minutes did not need to be read. Bernier motioned to approve the 12/12/2023 Meeting minutes as presented, Ralph second, MC.

Public comments – none.

Proposal from Matt Flatland, et al., - Discussion on proposal to open 670th Street from County Hwy S, south to 1090th Avenue, for designation as an ATV route. 16 people own property along the proposed route, everyone that lives here was in agreement to opening this section of 670th Street as an ATV route. Brent Carpenter, a non-resident owner, was in agreement, there were four land owners Flatland did not contact. 1090th is currently open, 670th is not open. Ralph asked Flatland for any reasons he wanted the route designation. Flatland replied that he opens property along the proposed route and he wants to drive down to it. Flatland's son will be 14 and he wants to ride to school on this road rather than County N. Ralph stated that she understood that operators must be 16 to operate an ATV alone on a designated ATV route (research showed that operators between the age of 12 to 15 must be accompanied by an adult while operating on a designated ATV route). Flatland thought the approved age is 14. Everyone that Flatland spoke with thought the proposed ATV route was already open. Regarding signing of the ATV route, per Flatland he is working with Colfax Rolling Hills ATV Club to supply the signs or Flatland will provide. Flatland asked if he can put ATV/UTV signs on weight limit sign, he understands he cannot put them on County stop sign. This route is 1.8 miles. There needs to be a sign at County Road S, an additional sign at the top of the hill (the half-way point), and a sign at 1090th. Flatland will contact Wheeler Club regarding missing signs on N & 520th, N & 690th and 730th Street and 1110th Avenue. Motion by Ralph to amend the ATV/UTV Ordinance to include the route of 670th Street from County Hwy S, south to 1090th Avenue as an approved ATV route, second by Bernier. MC. The updated Ordinance will be executed 2/13/24, posted 2/14/24, and will be effective 2/15/24. Flatland will have the route signed by the effective date.

Communication from Town Chair – none.

Communication from Town Supervisors. Hayes asked that anyone needs to contact him, please text him for first contact. If something emailed to him that is important, text Cecil to tell him to check email. Bernier said the beaver are trapped and the dam is gone, it was removed Thursday, 1/4/24.

Consideration and possible approval of fuel contracting for April-Nov, 2024. Supervisor Bernier talked with Chippewa Valley Energy, can contract for \$2.99, need to contract 1000 gallons. Contract period is April 1 to

November 30, 2024. The 2023 Contract was \$3.19 for 1200 gallons. Table the discussion until the February meeting when we will have more updates on pricing.

Mileage reimbursement effective 1/1/2024 - .67/mile, increase of 1.5 cents/mile

Boyceville \$18,000,000 referendum for April 2, 2024 ballot. Chair will bring more information to the February meeting.

Computer support Krista Computers – change from \$102/year to \$126/year – now using Sentinel One EDR (End Point Detection and Response). EDR uses behavioral analysis instead of the traditional way of using signatures or known patterns to identify security threats. This means that it watches for what the system is doing and can adapt to new threats faster and more effectively than traditional antivirus. It can also counteract ransomware in ways that traditional antivirus cannot. EDR is an "active process" that monitors system activity and steps in when necessary. It is more likely to catch a problem as it happens, not after it happened. This in turn means that there are not scheduled scan times or running scans at startup that can make the computer feel sluggish or unresponsive.

Discussion and possible approval of 2024 Master Academy for Civic & Public Affairs – Zoom 1/11/24 for Clerk Bernier, cost \$149 for the full-day session – Strategic Planning the Clerk Office; Election Security: Protecting the polls; Dealing with Difficult situations: Skills and Strategies. Ralph motion to approve, second by Hayes, MC.

Discussion and possible approval of purchase of a new torch for the shop. Anderson stated the Head can be sent in to be redone, but he cannot get a price quote for this. AirGas cannot give a price to fix, they send it in but cannot provide quote. The head is 25 years old, hose is shot. New torch is about \$500, whole new Victor torch is \$644. After discussion, it was determined best route is to send the head in and get a hose. Anderson will take to Ridgeland and they will send it in. Bernier made a motion to have Anderson take the head to Ridgeland, have it sent in for repair, Ralph second, MC.

Discussion and possible approval of Dunn County Unit of WTA to provide a donation to the family of Dustin Binder, our Dunn Co. Highway Commissioner. Need to provide a Yes or No response to Town of Red Cedar. Family is seeking community support to help fund a cure for his twin boys who were diagnosed with PKAN, a rare terminal genetic brain disease. \$50 or \$100 if yes response. Going with the majority of towns' response. The Otter Creek Board does not feel they can allocate governmental body funds to private requests. Motion by Ralph to provide a "no" response to the town of red cedar, second by Hayes, MC.

Fire bill – Shawna Stone, 10/19/23 at E7111 County Road S, Wheeler; bill for \$3,968 mailed 12/20/23, due in 60 days by 2/29/24. Follow our ordinance on payment and any unpaid balance as of 2/29/24 will be assessed 2% interest from 12/20/23, and any unpaid balance as of 11/1/2024 will be a special assessment on the tax bill for Stone.

Weber Inspections December report – none.

Special Assessment Requests –

- Seller: Kurt Kadinger, buyer: Thomas Goodell, 4 acres
- Seller: Jeremy Caturia, 40 acres on 730th Street
- Seller: James & Sandra Olson (Anoka MN), 18 acres, Hwy 170, buyer: Cascade Horizon Properties, LLC (Oregon)

Report from Patrolman on Road Work/Equipment – grader is in the shed, changed blades. Mower needs work for next summer, but need torch fixed first. Fixed 670th today, took out dead trees. Doing regular

maintenance. We used less than 100 gallons of fuel in the truck, used 4 loads of sand. Cleaned up the ditch east of County Hwy S on 1090th in the swamp, it was in the road this summer, now pushed back. Clerk will add to the February agenda to review road bids to be circulated, review the 5 year road plan and road projects.

Review and discussion on proposed supply purchase request form. The form was provided to the patrolman for use if needed.

Auditing of bills for payment – bills circulated and approved by the Town Board.

Review Treasurer's Report – Motion by Ralph to accept the treasurer's report, second by Bernier. MC. Ralph motion, 2nd by Hayes, MC

Review/approval of budget amendment to balance the 2023 budget. Motion by Ralph to approve amendment 01-01-2024 to amend 2023 budget, second by Hayes, MC.

Closed Session – Motion to go into closed section pursuant to Wisconsin state statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility -- town patrolman and town clerk-treasurer. Resume discussion from 12/12/23 meeting on potential patrolman and clerk treasurer compensation adjustment for 2024. Motion to go into closed session by Bernier, second by Hayes, MC. The board discussed with the patrolman the insurance liability when using the town shop for personal use. If this were to happen, the patrolman must provide proof of liability insurance in the amount of \$1 million. Patrolman stated he would not use town shop for any personal equipment repair. Patrolman said he found a two-year-old used pickup truck on Craig's list for \$30,000. Reviewed the compensation proposals from the patrolman:

- 1) .50 increase, additional two weeks vacation.
- 2) \$1/hour increase, additional one week vacation, add one week unpaid time off.
- 3) Town buy a pickup truck, patrolman drive back and forth to work, not to use at home, take 4 weeks unpaid time, no pay increase for 4 years.
- 4) Craig's list - \$30,000 for 2 year old truck.

Retirement plan of age 75.

Changes: 1) Move accrual date from December 12 to January 1.

At 8:45 p.m., the patrolman was excused for continued discussion by the town board regarding compensation package changes.

Hayes made a Motion for township to not purchase a new pickup truck at Colfax Chevrolet, second by Bernier, MC.

Open Session 9:45 a.m. – Motion to convene into open session and to take action appropriate to Wisconsin state statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility -- town patrolman and town clerk-treasurer which resulted from the closed session.

Action items: Motion by Hayes, second by Ralph, to offer the patrolman two options to pick from:

Option (1) 4/10 hour days, \$27/hour, 160 hrs of vac, up to 4 weeks unpaid time off, holidays remain at 6/10 hour days, max of 60 hrs comp time/year; 30 minute unpaid lunch, if working additional hours at the beginning of the work week, encouraged to take time off at the end of the work week to stay at 40 hour/week.

Option (2) 4/8 hour days, \$30/hour, 160 hrs of vac, up to 4 weeks unpaid time off, holidays remain at 6/10 hour days, max of 60 hrs comp time/year; comp time accrued after 32 hours at 1 hr comp time for 1 hr

worked, after 40 hours worked - comp time is 1 ½ hrs comp time for each hour worked, 30 minute unpaid lunch, still considered a full-time employee (working 30 hrs or more per week if considered full-time). If working additional hours at the beginning of the work week, encouraged to take time off at the end of the work week to stay at 32 hours/week.

Supervisor 2 and the clerk treasurer to present the two options to the patrolman within the next several days. Compensation package effective 1/1/2024. Patrolman selected option 2 (4/8 hr workweek) on 1/11/2024. After review of clerk/treasurer comparable pay for similar size towns, there was a Motion by Hayes, second by Ralph, to add training pay to clerk wages.

Any other business – none.

Clerk reviewed the finances.	Equipment Account -	\$61,326.69
	Tax Account -	\$172,552.82
	Checking Account -	<u>\$46,132.76</u>
	Total of all accounts	\$280,012.27

ADJOURN - Ralph moved to adjourn the monthly meeting, second by Bernier. MC. Meeting adjourned at 9:55 pm.

Respectfully submitted – Beverly Bernier, Clerk/Treasurer

CONTACT PHONE NUMBERS IN ORDER OF CALLING:

Gary Anderson – 715-658-1483;

Bob Bernier – 715-577-6310;

Bev Bernier – 715-658-0131;

LeAnn Ralph – 715-308-6336;

Cecil Hayes – 715-577-6334

Town Shop - 715-658-1319;