

**Annual Town Meeting – April 16, 2024**  
**Otter Creek Town Hall – E5905 County Rd S, Wheeler WI**

Annual Meeting was called to order by Chair Ralph at 7:00 pm on Tuesday, April 16, 2024. In attendance were board members:

Chair LeAnn Ralph  
Supervisor I Cecil Hayes  
Supervisor II Bob Bernier

Guests - residents: Randy Simpson, Kelley Hayes, Bev Bernier (Clerk Treasurer)

Non-resident: Gary Anderson (Patrolman), Chuck Boyer, Dean Hause (Senn Blacktop), Alex Hollister (Monarch Paving)

**NOTE:** we will first hear any **BIDS ON THE PAVING PROJECT:**

The project is located on 690th Street beginning approximately 2/10th of a mile south of 1090th Avenue going south approximately 9/10th of a mile and ending at Dunn County Road N. The project will include a 30-foot ramp on 1070th Avenue and a ramp at the intersection to the new pavement with 1058th Avenue. Require 2-foot ramps for residential and field driveways. This bid is for warm mix pavement using 4LT5834S oil, with no limestone. Pavement will be 20' wide and have a compacted thickness of 2".

- Using two pavers for hot seam
- Materials will meet Wisconsin DOT specifications (with no limestone).
- The bid will include the tons of material to be applied and the per ton cost of materials including application. Bids will be selected based on the per ton price.
- The bidder will provide a total price for the project based upon the tons of material applied. This will be the maximum price to be paid for the project. If less material is used to complete the project the price paid by the Town will be reduced accordingly.
- The project will be completed no later than August 31, 2024.

Senn Blacktop, Inc. - \$123,376.00 Bid, 1402 tons @ \$88/ton

Monarch Paving Company - \$120,456.06 – Bid, 1371 tons @ \$87.86/ton

After discussion and determination of low bidder, a Motion made by Hayes to award the bid to Monarch Paving for \$120,456.06, second by Ralph, MC. Roll call vote: Bernier – yes, Hayes – yes, Ralph – yes.

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

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

**Advertising** - Ralph 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 2023** Annual Meeting were read by the Clerk/Treasurer Bernier. Hayes made a motion to accept the minutes as so read, second by Bernier. Carried = 6 residents, 0 opposed.

**Annual Financial Report** was presented by Bernier, which shows the revenues and expenditures related to the year of 2023. Recipients were asked to review the report on their own and submit any questions at the May meeting. Bernier made a motion to accept the financial report as presented, second by Ralph. Carried = 6 residents, 0 opposed.

**Noxious weeds**, per WI Stats Sec 66.04, was announced and explained by Ralph that Otter Creek residents need to control and destroy all weeds listed under the Statute. Chair read through the Noxious weeds information, which is available at the town hall and on the website.

**2025 Annual Town Meeting** will be held on the third Tuesday of April, 2025, being **April 15, 2025**, at the town hall according to state law requirements. The motion to approve the 2025 Annual Town Meeting date was made by Hayes, Bernier second. Carried = 6 residents, 0 opposed. Regular Town Board meeting will also follow.

**Permits/Ordinances:** Ralph 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 2024:** 690th Street beginning approximately 2/10th of a mile south of 1090th Avenue going south approximately 9/10th of a mile and ending at Dunn County Road N. The project will include a 30-foot ramp on 1070th Avenue and a ramp at the intersection to the new pavement with 1058th Avenue. Require 2-foot ramps for residential and field driveways. Miscellaneous graveling as needed.

Chair Ralph asked if there was any other business to discuss. No response was heard.

Bernier made a motion to adjourn the 2023 Annual Town Meeting at 7:20 pm, Hayes second, MC.  
Respectfully submitted, Bev Bernier, Clerk/Treasurer

### **Town of Otter Creek - Regular Town Board Meeting – April 16, 2024**

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

Chair LeAnn Ralph

Supervisor I Cecil Hayes

Supervisor II Bob Bernier

Guests - residents: Randy Simpson, Kelley Hayes, Bev Bernier (Clerk Treasurer)

Non-resident: Gary Anderson (Patrolman), Chuck Boyer

Immediately following the annual town meeting on Tuesday, April 16, 2024, at 7:20 p.m., chair LeAnn Ralph 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 12, 2024 regular board meeting and March 19, 2024 Special Board meeting were not read by Bev Bernier as Ralph, Hayes and Bernier reviewed the minutes prior to tonight's meeting and agreed that the minutes did not need to be read. Ralph made a motion to approve the minutes of March 12, 2024, and March 19, 2024 as presented, second by Bernier, 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.

Randy Simpson - ATV's in Otter Creek – the amount of ATVs driving on closed roads has grown a lot. Easily 15 to 20 on weekends. Simpson is requesting a letter to DC administrator and DC Sheriff regarding the amount of ATV traffic on roads that are not open. There is a lack of enforcement rules. People have called and reported, the sheriff department came out a couple times. Citizens are concerned about the number of ATVs on closed roads. Farm machinery concerns, this has gotten out of control, out of hand. The ATVs are screaming wide open, cracked, and you hear them a mile away, many are kids on ATV's. Another resident had a group of six on Sunday, April 14, 2025.

Kelley Hayes - Asking for a letter to DC for a pause until an assessment has been done on the effect on the County. See notes below for further discussion.

**Communication from Town Chair** – County surveyor looking for survey markers are in the road. Indicate any roadwork being done, ditching, seal coating, adding sand or gravel – the County would like this 8 days before the work is done. Chair will send them our road work listing.

Colfax Fire Board – CD's at 5%. March of 2026 delivery of new fire engine. We now have more time to save for our contribution. Cost of \$135,000 spread between the 4 municipalities is based on equalized value, Otter Creek's share is about \$30,000. Town of Tainter may want to come back into the Colfax Fire District, making this a 5-way split.

Solid Waste & Recycling – Lynn Niggeman is resigning. County Board will appoint her as DC Treasurer, she will be sworn in during January. Lynn will need to run for election in November. Colfax will ask her to continue to administer SW&R program with pay.

Dustin Binder sent an email regarding bridge inspections over 20 feet, there are no bridges in Otter Creek. A logging truck was going the wrong way on 970<sup>th</sup>, Chair contacted Hakes Logging and they corrected the situation. ATVs continue to be a problem, many on the past weekends. Clerk to email information on NO ATV signs to Chair. Chair emailed Sheriff Bygd. **Put on the agenda for May meeting to submit a letter to DC Sherriff and DC Administrator.**

Monica Berrier had sent a question to board regarding mobile homes, after June, 1976 is date for mobile homes. There were no manufactured standards before June, 1976.

Zoning and ADU question, still working on the ordinance. Some other towns have the same concerns as Otter Creek. Meeting in Dunn County to continue discussion on ADUs. They may consider that to put an ADU on a site, it must be double the minimum lot size. May consider if there is town input when ADUs are requested in specific town. There is not a final version of the ADU plan yet. Perhaps look at a deed restriction when an ADU is involved, in the event it is split off later. The deed restriction would not add more restrictions about splitting the property but would be intended to communicate to property owners the circumstances under which they could legally split the property.

#### **Communication from Town Supervisors;**

**Hayes** – talked to Tim Flug regarding land survey done on land near Hayes and Flug.

**Bernier** – nothing to share.

**Communication from Clerk/Treasurer** - 6 side by sides on 765<sup>th</sup> street, 4 pm Sunday 4/14/24. Razor on cut off road, near 170, Friday, 4/12/24, detained by Sheriff.

With the cost of stamps going up and high cost of ordering checks, propose paying Dunn Energy, Mosaic, and 24 7 by automatic debit, like we do with the State and Federal withholding taxes each month. We would still receive a hard copy bill and it would be attached for board approval each month, but payment would come directly out of checking.

Synergy – delivered 603.2 gallons of LP on 4/5/24, at a cost of \$1.52, for total deduction from prepay of \$916.86. Starting prepay was \$1520, less the \$916.86, leaving a balance of \$603.14 in prepay.

Annual bill for Wisconsin Towns Association dues. The base cost is \$560, and the additional charge of .55 for each resident (529 population), or \$290.95, for a total due of \$850.95. This compares to the 2023 charge of \$806.55 based on a population of 521, or an **additional \$44.40**. The base price went from \$520 to \$560, so they must charge \$1.06/resident on the base, rather than \$1.

Milestone bill – for 2” clean. This is all for town use. Hakes is purchasing his own material.

**Letter request from Kelley Hayes** - Discussion and possible approval of request for a letter from the Otter Creek town board supporting a pause in legal refugee resettlement in the Chippewa Valley that is under the current legal authority of the federal government. The way the law is right now, we can ask for a pause, but we have no legal authority. Supervisor Hayes believes we should ask officials to do their due diligence, need to raise our voice with concerns. Hayes makes a motion that we send a letter to the County Board that they move forward with a pause, second by Bernier. Ralph suggested a letter is sent to World Relief. Chippewa, St. Croix and Barron County made stands on this. If refugees move to Eau Claire County, they can be placed within 100 mile radius of Eau Claire. Discussion on meetings needed for all municipalities. Letter to be written to: DC Board of Supervisors, asking for a pause in refugee settlement. Roll call vote: Bernier – yes; Hayes – yes; Ralph – no. Hayes will draft the letter and bring to the May meeting.

**Pulverize** - Quote from A-1 Excavating to pulverize 690<sup>th</sup>, which will be repaved. Quote for \$4,371.84. Hayes made a motion accept the quote from A-1, Bernier second, MC. Clerk will send email that we approved and scan/email signed quote to A-1. Per Gary, culvert on south end many need some rock, we will find out when the work is done. Roll call vote: Bernier – yes; Hayes – yes; Ralph – yes.

**Sales** – Special Assessment Report Requests: None.

#### **Driveway Permits – logging:**

- D-2-2024 - 3/20/2024 – Jolene Martinson, E1170th Ave, Wheeler, Logger: Goettl

- D-3-2024 – 3/20/2024 – Terrance Giertz, N6697 539<sup>th</sup> St, Menomonie, Logger: Goettl
- D-4-2024 – 3/20/2024 – Bob Bernier, N11471 765<sup>th</sup> St, Colfax, Logger: Goettl
- D-5-2024 – 3/21/2024 – Robert Wigen, E5779 800<sup>th</sup> Ave, Menomonie, Logger: David Hakes

**Weber Inspection March report –**

- 3/13/2024 Lubbers Electrical Hook-up - Passed
- 3/18/2024 Lubbers Permit Issued for Electrical Upgrade

**Tavern license applications** to be sent to Too Mixed Up and Woodwind Park for 7/1/2024 to 6/30/2025. Clerk to participate in webinar on April 17, 2024 regarding updates to alcohol beverage regulations from DOR.

**Town Emergency Operations Plan** – review and update as needed. Clerk will replace Roberta Preston information with Bev Bernier’s, board should update their copy as needed. Motion to approve updated Emergency Operations Plan to County, which replaces Roberta with Bev, motion by Ralph, second by Hayes, MC.

**Set date for town road inspection** – Saturday, April 27, 2024, 7 a.m. Meet at town hall. Clerk will post notice on town hall door. Motion to set this date/time by Bernier, second by Ralph, MC.

**Upcoming dates:**

- 4/17/2024 Alcohol Beverage Regulation update webinar from Wis Dept of Revenue
- 4/22/2024 Dunn County Unit Meeting of WTA, 6:30 pm DC Judicial Center
- 5/7/2024 Open Book – 2:30 pm to 4:30 pm
- 5/21/2024 Board of Review & Reg Board Meeting

**Report from Patrolman on Road Work/Equipment** – everything going along, done with brushing Wed., 4/17/24. Did not grade roads, this rain will fix the roads. By Deepwood is very soft, red clay getting exposed. Top of Lee Hill by Rice residence the road is very tracked up. Graded the mud off on 765<sup>th</sup> St., 1180<sup>th</sup> from S to SS is brushed, 670<sup>th</sup> all the way thru was done earlier. 693<sup>rd</sup> to the town line by cemetery is brushed. Getting limerock ready, will pile by Deepwood. ATV Club does not maintain their signs. Have some signs to fix. New hoses on the brush mower, big purchases were for ditch mower. Question by Supervisor - how can we get an accurate estimate of costs? Mower deck was rebuilt 7 years ago with all new hoses. Brusher has been through a few hoses. Brushing is hard on things. Co-op and Lindstrom do not have good hoses. Lot of trouble with little brusher. Rhino runs very good and goes through a hose once in a while. Hoses to the deck are getting scarred up, will keep an eye on these. Ridgeland does not carry Parker hose, too expensive. Request that Patrolman, In the future, ask for price per foot for hoses before ordering.

Decals are not correct. Need to contact Texas, they won’t issue a return receipt. Clerk will contact Tractor Central for returning. Note: after the meeting, the Patrolman brought the decals into the town hall, where he found the correct decals in the package, along with decals he cannot use. We assume we cannot return just part of the order, as the Clerk was told by Tractor Central that the decals are a package purchase. No further action regarding decals.

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

Checking account:	\$ 22,557.96
Tax account:	\$161,990.81
Equipment account:	\$61,586.98

Motion to accept the treasurer’s report made by Hayes, seconded by Bernier. MC.

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

**Motion to adjourn by Ralph,** Bernier seconded. Motion carried. The meeting was adjourned at 9:07 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	