

Town of Otter Creek Board of Review and Regular Town Board Meeting Minutes
Otter Creek Town Hall, Wheeler WI
Tuesday, May 28, 2024 (postponed from May 21, 2024)

Attendees:

Chair LeAnn Ralph*

Supervisor 1 Cecil Hayes* (by phone)

Supervisor 2 Bob Bernier*

Clerk/Treasurer Bev Bernier

Patrolman Gary Anderson

Guests: Natalie DeLeasky (assessor); Chuck Boyer, Gary Axness, Kelley Hayes, Randy Simpson

*Board Members

BOARD OF REVIEW MEETING (BOR) was called to order by Town Chair LeAnn Ralph, at 7:02 p.m.

- Roll Call - Roll call was taken by Ralph– those present - Tax Assessor, Natalie DeLeasky; Chair – LeAnn Ralph; Supervisor 1 – Cecil Hayes (via phone); Supervisor 2 – Bob Bernier; and Town Clerk Treasurer - Bev Bernier, in attendance, along with several town residents.
- Confirm appropriate BOR notice – Website and Town Hall, short notice in 4/24/2024 Colfax Messenger
- Select chairperson for BOR - Motion was made by Bob Bernier to appoint Ralph as chairperson of the BOR. Motion seconded by Hayes, MC.
- Select a BOR Vice-Chairperson. Motion by Ralph to appoint Bernier as vice-chair, Hayes second, MC.
- Verify mandatory training requirements met – Clerk attended on 3/2/2024 and Chair attended on 3/19/2024.
- Verify the Town of Otter Creek has an ordinance that exists for the confidentiality of income and expense information provided to the assessor under state law.
- Tax Assessor share any new tax laws – exemption of personal property.
- Verify the Town of Otter Creek does not have a policy regarding the procedure for waiver of Board of Review hearing requests, as such, any requests not formally noticed to clerk of BOR at least 48 hours before the first meeting of the BOR will be basis for refusal to hear objection at this first BOR.

SUSPEND BOARD OF REVIEW – CALL TO ORDER THE REGULAR MONTHLY BOARD MEETING

The REGULAR TOWN BOARD MEETING was called to order by Chair Ralph at 7:11 p.m.

Meeting minutes from the April 16, 2024 Regular Town Board meeting were not read by Bev Bernier as Ralph, Hayes and Bob Bernier reviewed the minutes prior to tonight’s meeting and agreed that the minutes did not need to be read.

Motion to approve the **April 16, 2024 Regular Town Board Meeting** minutes by Bernier, second by Ralph, 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. *Chuck Boyer reserving his right to comment once he hears the letter regarding pause – see below.*

Communication from Town Chair –

ADU update. Only in General Ag Zoning and R2 for RDUs. Finalized ordinance going to county board for review in June for first reading, with decision in July. *Otter Creek Board will review the ordinance in June that is being considered by Dunn County.*

Utility permit - Dairyland Power is running a backbone (middle mile line) up to the ethanol plant between Wheeler and Boyceville, 990th Street. Utility permit received along with check for \$240.00.

Culvert - Allen Miller culvert order for use on County Road N, former Crane/Dakota Smith land.

Zoning - Discussion of possibly changing the zoning in Otter Creek to Intensive Agriculture and/or Primary Agriculture and possible scheduling of state and county officials to talk more about an AEA and/or changing the zoning at a subsequent town board meeting. Otter Creek is currently General Ag. Look at moving to a combination of General Ag and Intensive Ag. What opportunities are available under intensive and general. *Have someone come and speak to the board at the June meeting, Rick Ingli, Travis Drier, Chase Cummings or a member of DC Zoning.*

Communication from Town Supervisors – Nothing from Hayes or Bernier

Communication from Clerk – maintenance of effort (MOE) due from EMS/Fire to Clerk by June 15, 2024. Received submission from EMS.

Received Shawna Stone fire bill payment, Newhouse fire bill is paid in full with a lump sum payment received, still waiting on Gunnufson payment for fire call.

Letter regarding ATVs – discussion and possible approval of a reporting mechanism for the town's website that town residents can use regarding the illegal use of town roads by ATVs/UTVs. Reporting form submitted which would be on the Otter Creek website. Residents can complete the on-line report with violations. This data could then be shared with the DC Sheriff's department and County Board as needed. The administrator can periodically update a PDF on the website so residents can see that tracking of violations is being done. *Motion by Bernier to implement the reporting mechanism for town's website for ATV's reporting form, second by Hayes, MC.*

Consideration and possible approval of a letter to Dunn County Sheriff and DC Administrator regarding ATV's in violation of ATV approved routes. *Now that we have the reporting mechanism, we can periodically send the report, rather than sending a letter now.*

Letter regarding resolution for pause – consideration and possible approval of a letter from Town of Otter Creek to Dunn County Board of Supervisors requesting a resolution to pause placement regarding refugee resettlement in Dunn County. Discussion regarding housing concerns for residents and potential refugees. Discuss that the Town of Otter Creek has no legal authority over this. The resettlement office is in Eau Claire. There is 100 mile radius from Eau Claire, they should be talking to local governments where they are resettling refugees. Concern that resettlement may overwhelm area Counties so petitioners feel the need to reach out to government officials, which has not been done. We as a Township and County need to be part of the process and government needs to abide by the Statutes and not cause a burden on the

villages and cities where they place people. Three other counties around us have raised the red flag and asked to be part of the process. The point is being argued between lawyers as to legal authority for towns and counties. Concern by Chuck Boyer that we are asking for a pause in the “Dunn County area” or further and there is nothing to pause. Clarification that this “pause” is regarding Dunn County. Federal law says before you settle refugees you have to speak with stakeholders before you resettle them. World Relief can resettle refugees within 100 miles, but they still need to speak with Dunn County first, and the County is aware of the process. Motion by Hayes to submit the letter as is to Dunn County Board of Supervisors, second by Bernier, MC. Opposed by Ralph.

MFL land –

- Nicholas Waterman, Minnetonka MN – 42.970 acres closed
- Bruce Ayres, Colfax WI – 40 acres open, 33.830 closed, 40 acres closed
- David Solberg; Laura Sadler, Eau Claire WI – 40 acres open

Tavern License renewal – received from Too Mixed Up. Notice of application will be published in Colfax Messenger, review for approval at the June Regular Board Meeting.

Bartender licenses – request to issue 15 licenses – 5 new licenses for present through June 30, 2024 – 10 renewal licenses for July 1, 2024 through June 30, 2025:

- Ashleigh Miray Holloman, Sierra S Miller, Ali A Ruhnke, Brandy Coomer, Shaylie Fremouw, Cole Richard Cropp, Jay Jeffrey Fish, Mary Kay Flatland, Nathaniel Oliver Root-Holloman, Shawna M Stone
- Motion to approve the licenses by Bernier, second by Ralph. MC.

ADUs - Requests for response to Town of Red Cedar –

- 1) Are you in favor or against Accessory Dwelling Units in R1?
- 2) Are you in favor or against Accessory Dwelling Units in R2, R3 and/or General Ag?
- 3) Additional comments?

Yes or no – is there town support for an amendment to the county zoning ordinance to include parallel approval authority for towns related to special exceptions to zoning. Corporation counsel said it could be done to have town authority, but would be difficult. **No response necessary at this time.**

Sales – Special Assessment Report Requests: owner: Buff Tex LLC (formerly James & Sandra Olson); buyer: Dusek, 18 acres by 170

Weber April Inspection report –

4/4/2024	Whitted	Permit Issued	Cabin
4/26/2024	Long/Boyle	Final Inspection/Occupancy	Passed

Cutting notice – Jeff Dehnhoff, Mark Seyer

Logging driveway permits –

- D-6-2024 – Gary & Greg Axness - Keven Blaisdell
- D-7-2024 - Dylan Deringer – Goettl Logging

Results of town road inspection –A1 will pulverize 690th on June 5. Monarch is ready to come. No big surprises. Senn has not done the patchwork yet.

Patrolman - Report from Patrolman on Road Work/Equipment. Mower ready to go. Ran out of acetylene. Swamp areas are over 3 feet tall and need to start mowing again. County sprayed grass along county roads. Limerock received for patching hills and gravel roads. Need to do grading because of the rain. People's Farm washed across the whole road. Mainly mowing and grading. Gravel roads held up very well in downpour. Ralph and Bernier looked at Lucas Vold's driveway area as they will be logging in July with Goettl Logging.

Treasurer - Review treasurer's report. Clerk to check status on \$10,000 reimbursement from County for 2023 bridge.

Auditing of bills for payment

Any other business

Adjournment of Regular Board Meeting, Motion to adjourn at 8:22 by Ralph, second by Bernier, MC.

Clerk reviewed the finances.	Equipment Account -	\$43,746.08
	Tax Account -	\$162,374.26
	Checking Account -	\$61,678.77

8:22 p.m. - RETURN TO BOR –

- Receive the assessment roll and sworn statement from Tax Assessor; Natalie DeLeasky.
- Receipt of the assessment roll by the Clerk from the Assessor.
- Receive the assessment roll and sworn statements from the Clerk.
- Review the assessment roll and perform statutory duties:
 - Examine the roll,
 - Correct description or calculation errors, - no errors.
- Add omitted property, and Eliminate double assessed property. – none.
- Verify with Assessor that any Open Book changes are included in the assessment roll. Open Book was held Tuesday, May 7, 2024, 2:30 pm to 4:30 pm.
- Allow taxpayers to examine assessment data.
- Hear any timely filed assessment objections. None filed.
- 3 visitors at open book. For 2023, major class comparisons, 80% in 2022, 66% in 2023. Significant changes from DOR. The last year Otter Creek was in compliance was 2020. The level of assessment is 80%, 71% assessment to sales ratio, still higher than our assessed value. In 2023 – 26% economic increase in equalized values. Every 4 years we will need to do an interim market analysis to stay in line. There were fewer sales in 2023 compared to 2022. Land is biggest increase in asking price, some at \$8,500 per acre.

Motion by Bernier to **adjourn Board of Review** at 9:00 p.m., second by Ralph, MC.

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);

Bev Bernier – 715-658-0131

LeAnn Ralph – 715-308-6336;

Town Shop - 715-658-1319;

Chuck Boyer – 715-600-4149