

TOWN OF DOVRE  
TOWN BOARD MEETING

The Dovre Town Board met at 6:00 p.m. on Tuesday January 10, 2017 at the Dovre Town Hall located at 304 25 ½ Street for a Town Board Meeting. 2 Town of Dovre Residents and Guests signed in and were present. Names of persons present at the meeting are on file with the Clerk/Treasurer.

Chairman Trowbridge called the meeting to order at 6:04 p.m.

Roll call: Supervisors – Al Nyhagen – James Plummer – Mitch Hanson – Dan North and Chairman Dean Trowbridge are all present. Also Present - Clerk/Treasurer – Kelly Phillips, Attorney Terry Dunst and Patrolman Art Harelstad, Jr.

Pledge of Allegiance

1. Approval of Agenda: Motion by Nyhagen second by Plummer to approve the agenda as presented. Motion carried, unanimous yes vote.
2. Public Input
  - a. Resident Cathy Albrecht – said the memorial for the old town hall is in the budget but she can't find it in the financial report this month; Clerk Kelly states it will be in the 2017 budget and should show on next month's financial report
  - b. Resident Al Albrecht – since Chieftain is going "belly up," and they have still been moving sand, is the town going to be getting paid for it? Chairman Trowbridge says the town has received royalties for the sand that has been moved in 2016 and anticipates getting paid for future sand being shipped
3. Building Inspector Report
  - a. No permits issued for December
  - b. Building Inspector Daryl Dostal reported on Act 211 saying it won't take effect until 2018 but there has been some talk around the state about the implementation
4. Approve Minutes of December 13, 2016 Regular Meeting: Motion by North second by Trowbridge to approve the minutes as presented. Motion carried, unanimous yes vote.
5. Financial Report: Motion by North second by Trowbridge to approve the financial report as presented. Motion carried, unanimous yes vote.
6. Treasurer's Report Motion by Nyhagen second by North to approve the treasurer's report as presented. Motion carried, unanimous yes vote.
7. Set Date for Next Meeting: Tuesday February 14, 2017 at 6:00 p.m. for the regular meeting
8. Town Patrolman Report
  - a. Fire inspector came a couple of weeks ago and we passed – there were no violations
  - b. The furnace in the hall died, the part was under warranty – just charged for labor and shipping
  - c. Monroe sent a paper about a tour of their facility
  - d. Would like to ask the board for his FSA and retirement
  - e. The new truck is here and working fine – no tool box or salt brine tank yet but that will be put on by Valley View Service by January 15, 2017
  - f. Met with Bitney electric about the light dedicated for the flag and will order the fixture and run the light as soon as it comes in
  - g. Driveway permit – Benny Jenneman at 5 ½ Avenue and 26 ½ Street; motion by DT pending condition that the driveway is built to the safety request of the township for Benny Jenneman second by MH; all yes

## 9. Old Business

- a. Update on an amendment to the building ordinance
  - i. Attorney Dunst reports that the draft the board is looking at is a standard uniform dwelling code and simplifies the ordinance the town already has. Attorney Dunst also says the town should have a short subdivision ordinance to have say in the roads/cul-de-sac being built. The board discusses any changes or additions to the ordinance.
  - ii. Motion by North second by Nyhagen to pass Ordinance 2017-1 which is an ordinance regulating Buildings, Subdivisions and Setbacks. Motion carried, unanimous yes vote.
- b. Update on an amendment to the junk ordinance
  - i. Attorney Dunst reports that the junk ordinance and the public nuisance plan are basically the same. The Junk Ordinance regulates legitimate businesses and is mainly about vehicles, and there are different rules between public and private property. Would also have a limit on the number of junked vehicles on private property. The one difference he noticed is the number of days for abandonment are different for public and private property.
  - ii. Supervisor Hanson asked if the dates could be 3 days of presuming abandonment for public and 5 days for private
  - iii. Supervisor Plummer states the board can have all of these rules but we have to enforce them. Attorney Dunst shared that the process would be sending a letter, then issuing a ticket, then going to court, then cleaning up the property at the expense of the owner if the court sided with the town.
  - iv. Supervisor Nyhagen asked Attorney Dunst how effective a junk ordinance is and Attorney Dunst says he has seen them be effective, it just takes time and money; the letters probably have to be served instead of certified mail
  - v. Attorney Dunst suggests doing the public nuisance ordinance separately as the public nuisance is more about cleaning up properties and the junk ordinance regulates the amount of junk on the property
  - vi. Supervisor Nyhagen would like to wait to approve the junk ordinance until some things have been changed
  - vii. Attorney Dunst asked the board what number of days they want to use to presume a vehicle is abandoned on the side of the road and Supervisor Hanson suggests 3. Attorney Dunst says the ordinance shows 30 days on private property. The board asks Attorney Dunst to make some changes and they will revisit at the next monthly meeting
- c. Follow up on mobile home park ordinance
  - i. The board asked Attorney Dunst to draft an ordinance for presentation at the next monthly meeting
- d. Update on building subdivision and setbacks
  - i. Attorney Dunst says setbacks are addressed in building the ordinance; the board would like Attorney Dunst to work on the subdivision ordinance for presentation at the next monthly meeting
- e. Update on public nuisance plan
  - i. Attorney Dunst states this is mainly for junk in yards of residents
  - ii. The board discusses any changes or additions to the ordinance
  - iii. Motion by North second by Nyhagen to approve the 2017-2 Public Nuisance Ordinance
- f. Update on Comprehensive Town plan
  - i. The comprehensive town plan needs to be updated every 10 years

- ii. The board will revisit who was on the plan commission previously and work on getting it reestablished and the plan updated
- g. Update on the clerk/treasurer position job descriptions and contract
  - i. Supervisor North and Supervisor Nyhagen looked at about four job descriptions and came up with a draft of a job description for the board to review; the board direct the clerk/treasurer to update the draft in a word document with the changes and suggestions made for review at the next regular board meeting

#### 10. New Business

- a. Road ban sign presentation and discussion
  - i. Chairman Trowbridge reports after further contact with the state patrol, the patrolman can come in and talk generally but suggested the board come up with a gross vehicle weight but doesn't want to give any suggestions – it's what the board thinks is appropriate for the roads
  - ii. Supervisor Plummer says it should be class B for everything, who will enforce it?
  - iii. Supervisor Nyhagen asks for confirmation that this weight would only be for the 6 weeks during the road ban, and that is for the weight of the entire truck at that certain time
  - iv. Supervisor North would like to table this discussion until next month and get clarification on class B
- b. Discuss Chieftain Sand bankruptcy filing
  - i. Chairman Trowbridge reports Chieftain Sand has filed for Chapter 11 Bankruptcy which allows them continue operations, get rid of some debt and potentially sell the business; Jeff Goldsmith from Chieftain Sand met with Chairman Trowbridge last week. Chairman Trowbridge shares that in order for Chieftain Sand to continue business they have to make contact with the contracts they would like to uphold as Chieftain Sand until the sale, and the agreements and contracts stay the same for now
  - ii. Attorney Dunst shares that based on the information he was able to find, Chieftain Sand filed for Chapter 11 Bankruptcy in Delaware and the town won't have to participate at this time, and someone may be interested in purchasing and would like to buy it for \$5,000,000.00 free and clear, and they have more debt than assets. There is also a possibility they may have to have an auction, because as soon as they filed they are in the hands of the bankruptcy judge. At this time things are still uncertain, but if all else fails, we still have the ordinance
  - iii. JP – how does the bankruptcy affect the reclamation? Is that through the county? DT – as far as he was told today, they are upholding the agreement with the county
- c. Convene into closed session
  - i. Attorney Dunst doesn't think the board can talk about manufacturing building permits in closed session so that will not be discussed
  - ii. Motion by Trowbridge second by North to convene into closed session and invite clerk/treasurer Kelly Phillips, Patrolman Art Harelstad and Attorney Terry Dunst. Roll call vote – Trowbridge – Yes; Nyhagen – Yes; North – Yes; Plummer – Yes; Hanson – Yes. Motion carried.
  - iii. The board will consider convening into closed session pursuant to Wisconsin Statute 19.85 (1)(c) to discuss compensation of any public employee over which the governmental body has jurisdiction or exercises responsibility – patrolman, clerk/treasurer and per diem's;
  - iv. The board will consider convening into closed session pursuant to Wisconsin Statute 19.85 (1)(g) for purposes of conferring with legal counsel for the town regarding oral or

written advice concerning strategy to be adopted by the town board – new manufacturing building permits

- d. Reconvene into open session to consider compensation for patrolman, clerk/treasurer and per diem's and consider action for new manufacturing building permit; Motion by Trowbridge second by North to reconvene into open session. Motion carried, unanimous yes vote. Chairman Trowbridge reports the board only talked about employees in closed session and no action was taken; manufacturing building permit was not discussed and also pointed out the town is not responsible for issuing manufacturing or commercial building permit and anyone looking for a manufacturing or commercial building permit will be asked to call the town building inspector and he will direct them to the state
11. Reports
- a. Fire & Ambulance Report
    - a. Fire – Supervisor Plummer shares that the fire board meeting is next week
    - b. Ambulance – Supervisor Hanson shares the ambulance committee meeting is Thursday and they may have found a 3<sup>rd</sup> party billing company
  - b. Board Member Reports
    - a. Supervisor Nyhagen – had a conversation with Mark Servi about end walls on all culverts and they are going to put them on, suggests the town contribute the end walls to some of the culverts that may need them
    - b. Supervisor North – is working on year end resolution to get the budget balanced and might show up on the auditor's report as a control item and for the board to ask Consultant Greg LaFond if there are any questions. Supervisor Plummer asked if any surplus can be designated to next year's highway funds. Supervisor North asked why the budgeted amount in the highway funds didn't get spent.
    - c. Supervisor Plummer – nothing
    - d. Supervisor Hanson – nothing
    - e. Chairman Trowbridge - nothing
12. Other Administrative Matters
- a. Authorize Payment of Bills: Motion by Trowbridge second by North to authorize payment of the bills as presented. Motion carried, unanimous yes vote.
  - b. Next Meeting Agenda Items
    - a. Junked and abandoned vehicles ordinance
    - b. Discussion regarding plan commission and the town comprehensive plan
    - c. Road ban sign discussion and possible action
    - d. Discussion on 2017 road projects
    - e. 2016 budget resolution
    - f. Per Diem discussion
13. Adjournment: Motion by Trowbridge second by North to adjourn at 9:20 p.m. Motion carried, unanimous yes vote.

Minutes are not official until approved by the board at the next meeting

Kelly Phillips  
Clerk/Treasurer  
Town of Dovre Barron County