

## VILLAGE OF BROKAW – BOARD of TRUSTEES MEETING MINUTES

**Date:** Thursday, October 5<sup>th</sup>, 2017

**Place:** Village of Brokaw Village Hall, 218 Second Street, Brokaw, WI.

1. Call to order: 7:31 p.m.
2. Pledge of Allegiance was recited
3. Roll call of members: Jeff Weisenberger, John Borth, Matt Deffner, Adam Dykman, Margie Ann Josiger, Dan Manowski and James Sonnentag. **Present**
4. **Motion to Approve of minutes of 9/7/17 Board of Trustees meeting as submitted/Deffner.** 2<sup>nd</sup> Sonnentag. Motion approved unanimously.
5. Presidents Report: None
6. Written Water Utility Report submitted by Clayton Laszewski.
7. Administrator Rusch reported that well site borings are complete and preliminary information is complete. Detailed engineering review will be completed to determine actual test well location(s) which will hopefully be coming in by the end of next week. Per a request from President Weisenberger he contacted the County regarding opening roads to ATV traffic, including crossing the WW bridge. Currently County policy does not allow ATV traffic on roads exceeding 80 ADT, something which WW exceeds. Highway Commissioner Jim Greisbach will include this as a possible exemption to be discussed at the next Commission meeting being held on November 2<sup>nd</sup> at 9:30 a.m. The Marathon County Executive Committee unanimously approved sending a resolution of support for the CBA process to be discussed and voted on at the next County Board meetings. Discussion at the October 12<sup>th</sup> meeting and a vote at the October 17<sup>th</sup> meeting. Both being held at 7:00 p.m. at the Courthouse. He reported that this information will be included in the next weekly update as well.
8. Business Items:
  - A. **Discussion and possible action to approve Mathy Construction CSM.** An updated map was presented by REI representative Tom Radenz. Administrator Rusch reminded the group that the previous CSM was denied due to the fact that access was not identified on the actual CSM. Recommendations to access the boat landing from 4<sup>th</sup> St. and Woodyard Road was reviewed by Mathy and not something they were amenable to. He explained that Attorney Dietrich and Attorney VanderWaal have reviewed the map and approved language for the conditional approval of the CSM. Based on the approved language and timeline it gives CBA members the opportunity to continue to investigate ways to get access to the boat ramp along 4<sup>th</sup> St.

**Motion to approve the submitted CSM contingent upon transfer of the property to the Village of Maine, Village of Brokaw or Marathon County. Property to be deeded or transferred by December 31<sup>st</sup>, 2017 or upon DNR remediation approval, whichever is later/Deffner. 2<sup>nd</sup>/Sonntag. Motion carried unanimously.**

**B. Discussion and possible action to allow operational variance for the Heartland Coop operation for the 2017 harvest season.** Heartland Co-op Seasonal Variance of the Conditional Use Permit (CUP) approved for previous owner of the facility. Administrator Rusch reported that Heartland Coop assessed operational parameters after our last meeting. This action would address operation restrictions for this harvest season only. After the season is complete they would then go through the public hearing process to amend their CUP. Per Heartland Coop the conditions that would be acceptable are:

- Operational variance from October 15<sup>th</sup> through December 15<sup>th</sup> to allow material to be received at the facility between 6:00 a.m. through 10:00 p.m.
- Roasting operation limited to 6:00 a.m. through 10:00 p.m.
- Grain dryer, fans and supporting conveyors operating 24 hrs./day, 7 days/week.
- 3<sup>rd</sup> party noise level testing will be scheduled during peak operating conditions with information provided to the Village to assess future CUP requirements.

There was further discussion that there was concern that Heartland made no attempt to make any adjustments after the last meeting. Administrator Rusch reminded the groups that Heartland was directed to come back with amended operating parameters and not told they had to make any changes to equipment. Attorney Frokjer and Trustee Borth mentioned that there should have been some attempt to identify the cause of the issue and make some changes.

Dan Manowski was concerned that the timeline could potentially mean that Heartland would be running 24/7 for 3 months straight. Administrator Rusch reiterated that they told everyone that you would only run 24/7 when needed but there was skepticism that the wording was too open ended. Discussion turned to limiting dryer operation from 6:00 a.m. to 12:00 p.m.

OSC member Andy Walters, audience members Diane Dettmering and Wally Borchardt all mentioned that those operating hours were too limiting and would not allow Heartland to serve local farmers successfully. They all mentioned that this would most likely hurt area farmers more than it would affect Heartland.

There was also discussion to limit 24/7 operation to 21 days; the 21 days would not need to be consecutive days necessarily and could be identified by Heartland, not the Village. For example: Heartland would be able to run 21 days total at 24 hrs., meaning it could be 3 days one week and 2 another and so on. Heartland has the opportunity to come back Nov. 2<sup>nd</sup> or ask for a special meeting if this was unacceptable. Trustee Borth

mentioned that the limiting requirements being discussed may force Heartland to make some changes to their operation to meet resident's requests.

**Motion to approve a seasonal variance allowing Heartland Coop to operate from October 15<sup>th</sup>, 2017 through December 15<sup>th</sup>, 2017 with the following restrictions:**

**Allow material to be received at the facility between 6:00 a.m. through 10:00 p.m.**

**Roasting operation limited to 6:00 a.m. through 10:00 p.m.**

**Grain dryer, fans and supporting conveyors operating hours limited from 6:00 a.m. to 12:00 p.m.**

**Perform 3<sup>rd</sup> party noise level testing will be scheduled during peak operating conditions with information provided to the Village to assess future CUP requirements/Dykman. 2<sup>nd</sup> Manowski. Motion carried unanimously.**

- C. **Discussion and possible action to approve IROW contract amendment.** Administrator Rusch reported that this amendment will allow Brokaw to renew the existing terms of their IROW contract for two successive one-year terms, thus allowing a transition time until Brokaw and Maine merge.

**Motion to approve IROW contract amendment/Manowski. 2<sup>nd</sup>/Borth. Motion carried unanimously.**

- D. **Discussion and possible action regarding the purchase of Clayton's personal truck (2001 Ford XLT) to replace the old ford maintenance vehicle.** Administrator Rusch explained that the current red Ford truck is rusting out and no longer dependable. He explained that Clayton had detailed maintenance records for his current personal truck and is willing to sell it to the Village for \$4,000.00. Market Value for the truck is \$4,700.00.

**Motion to approve buying Clayton's 2001 Ford XLT for \$4,000.00 for public works/Josiger. 2<sup>nd</sup>/Sonntag. Motion carried unanimously.**

- E. **Discussion and possible action to authorize Action Appraisers to provide appraisal services for the Village of Brokaw.** Administrator Rusch reported that Action Appraisers contract would save money and would allow alignment of services with those Maine is currently using, making the transition smoother when consolidating.

**Motion to approve Action Appraisers to provide appraisal services for the Village of Brokaw/Deffner. 2<sup>nd</sup>/Dykman. Motion carried unanimously.**

- F. **Discussion and possible action to approve Johnson Block and Company as accounting firm for PSC submittal adjustments.** Administrator Rusch reported that Clifton Larson Allen was previously approved, pending Attorney review and approval of contract language. Contract language could not be reconciled so multiple other firms were researched. Johnson Block was one of the firms recommended by Vierbicher. CBA member attorneys Dietrich, VanderWall and Frokjer have reviewed and approved the contract language. The timing to get a firm in place to handle the PSC adjustments and chart of account adjustments is critical. Until there is a firm in place the PSC engineering review/approval is on hold as well as preparing the budget for the Village.

**Motion to approve Johnson Block and Company as accounting firm for PSC submittal and chart of account adjustments/Dykman. 2<sup>nd</sup>/Manowski.** Motion carried unanimously.

- G. **Discussion and possible action to discuss grant funding distribution.** Administrator Rusch reported that State funding would most likely be distributed late November 2018. Federal funding is dependent on final approval of the engineering plans. Currently we only have preliminary approval. A meeting is scheduled for October 25<sup>th</sup> @ 10:00 at the Maine Municipal Center with Vierbicher, USDA/Rural Development representative Julie Geise and CBA members to cover some of the requirements and potential distribution options. Once that is complete there will be a meeting scheduled with all CBA members to discuss, and hopefully finalize, distribution options. No action was taken on this item.

9. Items that need to be placed on future agendas: Well 1B line split repair and valving opportunities (2" bypass) to allow for a better functioning system.
10. Next Board of Trustees meeting scheduled for November 2<sup>nd</sup>, 2017
11. **Motion to adjourn @ 8:39 p.m./Josiger. 2<sup>nd</sup>/Deffner.** Motion carried unanimously