

VILLAGE OF BROKAW – VILLAGE OF MAINE – TOWN OF TEXAS COOPERATIVE BOUNDARY OVERSIGHT COMMISSION MEETING

The Cooperative Boundary Oversight Commission held a meeting at 6:30 p.m. on Thursday, February 9, 2017 at the Village of Brokaw Hall, 218 Second Street, Brokaw, WI 54417.

Call to order

Chair Hoenisch called the meeting to order at 6:32 p.m.

Roll call of members

Present at the meeting:

Brokaw - President Weisenberger

Maine - President Hoenisch, Clerk Bailey and Attorney Frokjer

Texas - Chairman Matt Bootz and Supervisor Delmer Winter

OSC Administrator Duane Gau was present along with Brokaw, Maine and Texas Board members and community members

Approval of minutes of prior meetings

Chair Hoenisch stated that a motion was needed to dispense of the reading of the December 6th and December 12th, 2016 minutes and also approve the two sets of minutes.

Mr. Weisenberger made a motion to dispense of the reading of the December 6, 2016 and December 12, 2016 Oversight Commission minutes and approve those two sets of minutes. Chairperson Hoenisch seconded that motion. Motion carried.

Administrator's Report

Chair Hoenisch asked Administrator Gau read his report out loud since there were a lot of people in the audience that would be interested in his report for the month of January.

Administrator Gau read his report which included Brokaw public works matters he handled, meetings he attended and Administrator activities and tasks for January 2017.

Discussion regarding:

Attorney Randy Frokjer report on USDA/Rural Development

Attorney Frokjer reported that he scheduled a phone conference with Senator Baldwin's office because she had created the Brokaw Act legislation. Senator Baldwin's staffers asked if funding from USDA/Rural Development had been investigated. Mr. Muchow from Vierbicher explained his previous conversations with Rural Development and offered to reach out to them a second time. Since that time Mr. Muchow and I have had several conversations with Julie Giese from Rural Development, Attorney Frokjer stated. He then explained that Maine's President was in the process of scheduling a joint meeting with Baldwin's, Duffy's, Johnson's, Petrowski's and Spiros' staffers on the Brokaw matter.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Marathon County's "Uniform Addressing" and possible participation by the Village of Maine and Village of Brokaw

Administrator Gau reported that he attended Marathon County's "Uniform Addressing" meeting on January 25, 2017. He explained that the County is mandating that unincorporated municipalities must be part of the addressing project and incorporated cities and villages are invited to participate.

Phase one of the project is to determine how the County and municipalities are going to handle duplicate street names. Administrator Gau also talked about the County providing cost share funding of \$20.00 per address sign to each municipality that participates.

Incorporated municipalities will receive a letter from the County and must inform Marathon County by April 7, 2017 if they plan to participate. Mr. Bootz stated that the April 7, 2017 deadline may be extended.

A lengthy discussion followed on the pros and cons of the address system, the importance of implementing the latest 9-1-1 technology and the unknown costs for the contractor that will install the signs.

Chair Hoenisch stated this item was on Maine's February Board Meeting agenda for discussion.

Positive Alternatives, Inc. Youth Group Home

Administrator Gau reported that Positive Alternatives purchased a building at 5475 N. 28th Avenue in Brokaw. They will pay property taxes for 2017; however they will be non-profit by 2018.

Administrator Gau explained that he requested a developer's agreement between Positive Alternatives and the Village of Brokaw. The agreement would start the pilot in lieu of them paying local taxes. This organization was solicited by Marathon County Social Services, therefore Administrator Gau held a meeting on January 31, 2017 with County Administrator Karger to discuss the group home. Administrator Karger understood that this is a bad time for Brokaw to lose approximately \$4,000.00 in property taxes due to this property being placed into a non-tax status.

Mr. Bootz stated he will talk about this matter at the County Health and Human Services Committee meeting which he is a member of.

Vierbicher's revisions to the Brokaw "Implementation Time Line"

Administrator Gau reported that on January 12, 2017 he attended a meeting with Gary Becker and Kurt Muchow from Vierbicher, the engineering firm for the Brokaw project and their timeline. Administrator Gau questioned if the timeline should be updated because so many things have changed. Attorney Frokjer suggested that until funding is secured there are a lot of unknowns regarding the well construction, therefore it would be difficult to update at this time.

Discussion and possible action on transferring Brokaw's administrative activities to Maine:

Accounting practices and billing approval procedures

Administrator Gau reported that he and Clerk Bailey attended a meeting with Brokaw's accountant Don Stabenow on January 19, 2017 to discuss the accounting practices and procedures. Administrator Gau stated he is recommending that Maine's clerk do Brokaw's accounting in QuickBooks, which will save a significant amount of money.

Discussion followed on the amount Brokaw is currently paying to have their payroll and vendor checks created, plus all monthly payroll activities and the year end audit completed. Brokaw's Clerk Bailey stated that President Weisenberger had approached her in December of 2016 to discuss the possibility of her doing Brokaw's accounting because at that time he stated their accounting bill was \$3,000.00 per month. President Weisenberger now states the actual cost is about \$4,800.00 per month, which includes the cost of their audit.

Administrator Gau explained that the goal was to have Clerk Bailey create Brokaw's March checks. He also explained his recommendation for invoice coding, the bill approval process by Brokaw's Finance Committee, Brokaw's Deputy Clerk continuing to mail checks and Brokaw's staff providing accountant Don Stabenow copies of all transactions during the transition period.

Mr. Weisenberger made a motion to approve Administrator Gau's recommendation for Brokaw's accounting practices and bill approval procedures. Motion seconded by Mr. Bootz. Motion carried.

Set compensation for Village of Maine Clerk to complete the initial setup of general ledger accounts for Brokaw's Water Utility, Sewer Utility, TID/TIF and General Fund

Administrator Gau recommended the Oversight Commission approve compensation for Clerk Bailey to setup Brokaw's accounts in QuickBooks. He also recommended that the three OSC municipalities pay a third of that cost.

Mr. Bootz asked Clerk Bailey how many hours it would take to complete the QuickBooks setup for Brokaw's accounting.

Clerk Bailey explained she has done a lot of corporate accounting; however municipal accounting is rather new because she has only been the clerk since April 2016. Currently Brokaw's accountant is using three companies, however to operate efficiently it would be best to have four accounts, she stated. This makes it difficult to estimate, she stated.

Administrator Gau interjected that he would be working with Clerk Bailey to setup the accounts with Public Service Commission account numbering systems. This will help satisfy PSC requirements and make reporting easier.

Discussion then followed on compensation for Clerk Bailey and she explained she would be doing this work as a sub-contractor and separate from her Maine clerk duties. Mr. Bootz asked if \$20.00 per hour for the setup work was satisfactory. Clerk Bailey stated, yes.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Mr. Bootz made a motion to compensate Clerk Bailey at \$20.00 per hour for Brokaw's accounting setup and she was to invoice the three municipalities a third of the cost. Motion was seconded by Mr. Weisenberger. Motion carried.

Set compensation for Village of Maine Clerk to do Brokaw's monthly accounting

Mr. Bootz suggested that Clerk Bailey setup Brokaw's accounts and complete the first month of work. He explained that would make it easier for the OSC to then determine compensation for the monthly accounting. This item was tabled.

Designate Officials for signature authority on checking and banking accounts, beginning on or before April 1, 2017

Administrator Gau explained that Brokaw will no longer have an elected treasurer as of April 2017, therefore signature names for their banking and checking need to be updated.

Administrator Gau recommended that President Jeff Weisenberger and the OSC Administrator have signatory authority for the Village of Brokaw banking and checking.

Mr. Weisenberger made a motion to approve Administrator Gau's recommendation, seconded by Mr. Bootz. Motion carried.

Transfer administration of Zoning and Building permits to Mr. Grefe and discuss possible compensation

Administrator Gau reported that Brokaw had discontinued using Darin Pagel from Northwinds Inspection Services as their building inspector in mid-2016, due to his high monthly fee. The Village of Brokaw contacted Mr. Grefe and requested that he do their zoning and building inspection work for the remainder of 2016. Administrator Gau explained that historically the Zoning and Building services for Brokaw have been very limited. He also stated that compensation for Mr. Grefe needed to be discussed.

Chair Hoenisch explained that she had asked Mr. Grefe to attend tonight's meeting and suggested he come prepared to discuss compensation for his services. She then introduced Mr. Grefe and gave him the floor.

Mr. Grefe explained he had taken approximately twelve calls in 2016 regarding building and zoning in the Village of Brokaw, however he had not issued any permits. He also mentioned that he had reviewed Brokaw's municipal code that he received in 2016, plus he had recently received their zoning code and map.

Discussion followed regarding compensation for Mr. Grefe.

Mr. Weisenberger stated that Brokaw was very happy with Mr. Grefe's services for 2016 and also states it was a significant savings since Mr. Pagel had been charging Brokaw a monthly retainer of \$750.00, plus his contract stated he would retained any building permit fees for permits he issued.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Administrator Gau asked how he was compensated in Maine. Mr. Grefe replied that he received a yearly salary.

Mr. Bootz asked Clerk Beyersdorff how much the Town of Texas zoning administrator and building inspector was paid. Clerk Beyersdorff replied that their zoning administrator was paid by the month and their building inspector retained the fees he collected for the permits issued.

Mr. Bootz asked Mr. Grefe if he would continue the zoning services for \$25.00 per hour and he would be able to retain building permit fees. Mr. Grefe stated he was fine with that amount.

Mr. Bootz made a motion to compensate Mr. Grefe \$25.00 per hour for zoning work and he will retain the building permit fee for his compensation to issue building permits and conduct the inspections. Motion seconded by Mr. Weisenberger. Motion carried.

Discussion followed on the 2017 contract. Mr. Grefe suggested that Brokaw use the 2016 contract and make the necessary revisions. Chair Hoenisch asked Administrator Gau if he would complete that task and he replied, yes.

Establish Brokaw's Assessor

Administrator Gau reported that he contacted Brokaw's assessor Jeremy Kurtzweil regarding their assessment services. He explained Mr. Kurtzweil was expecting the call because he was aware of the Cooperative Boundary Agreement between Brokaw, Maine and Texas and the future consolidation of Brokaw and Maine. Administrator Gau went on to explain that Mr. Kurtzweil has already set up the assessor records for 2017 assessment work. Mr. Kurtzweil is willing to transfer his work to Maine's assessor if the OSC determines Brokaw should contract with Assessor Zacharias, provided he is compensated for the work he has done to date.

Mr. Bootz asked how much Brokaw and Maine were paying for assessor services.

Chair Hoenisch explained she had asked Administrator Gau to talk to Assessor Kurtzweil due to a possible potential savings if Brokaw contracted with Maine's assessor. Currently Brokaw is paying Mr. Kurtzweil \$4,000.00 per year to assess approximately 150 parcels, in comparison to Maine paying Mr. Zacharias \$9,500.00 to assess approximately 1,869 parcels.

Mr. Bootz made a motion to recommend that Brokaw retain Kurtzweil Assessor Services for 2017 and give notice to Mr. Kurtzweil that his contract will not be renewed for 2018. Mr. Bootz also stated his motion included that Brokaw should contract with Maine's assessor for 2018. Motion was seconded by Mr. Weisenberger. Motion carried.

Discussion and possible action on:

Amending the October 24, 2016 motion regarding preparation of CBA Oversight Commission agendas and minutes

Chair Hoenisch reported that she had requested that this item be placed on tonight's agenda.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Chair Hoenisch explained that at the October 24, 2016 OSC meeting, Clerk Bailey had been approved as the OSC clerk to prepare the agendas and minutes. She went on to explain how busy it was at Maine's office due to incorporation work and other tasks that needed to be completed now that we are a village. I am concerned because Clerk Bailey will now taking on the task of doing all of Brokaw's accounting along with her normal clerk duties. I would like the OSC to amend the October 24, 2016 minutes so that I can create the OSC minutes. I will do that task under my President's salary and/or volunteer my time. Since Administrator Gau has been on board, he and I have worked on the agenda preparation together. I feel it would be best if the motion would state that OSC Administrator Gau, Chair Hoenisch and Clerk Bailey will cooperatively work together on the agendas and minutes.

Mr. Bootz made a motion to amend the October 24, 2016 OSC minutes and the amended motion will be that Administrator Gau, Chair Hoenisch and Clerk Bailey cooperatively work on the OSC agendas and minutes. Motion seconded by Mr. Weisenberger. Motion carried.

Brokaw and Maine joining Marathon County Metropolitan Planning Organization and developing a Wausau Urbanized Sewer Service area

Administrator Gau reported that he attended a meeting at Marathon County with Dave Mack and Jeff Prichard regarding the County's Metropolitan Commission (MPO) and Brokaw and Maine joining the Wausau Urban Area Sewer Service Plan Cooperative Agreement. He also discussed this matter with Administrator Karger at their meeting on January 31, 2017.

Administrator Gau explained that Marathon County is in the process of updating the County's 208 Sewer Service Area Plan and it would be a good for Brokaw and Maine to be part of that planning process.

Administrator Gau explained how the regional treatment plants work and if Brokaw and Maine are part of the County's 208 Plan, then we could utilize the system. He stated that if we join now and pay our share, we will have a place at the table when the plan is being created.

Administrator Gau recommended that the CBA OSC make a formal request to Marathon County that the Village of Brokaw, Town of Texas and Village of Maine Cooperative Plan and Permanent Boundary Agreement Oversight Commission be part of the Water Quality Management Technical Advisory Committee (WQMTAC) and that the Oversight Commission Administrator Gau be the representative on the WQMTAC. He also recommended that the motion to include that the three municipalities pay their third of the membership fee, which is approximately \$6,000.00.

Discussion followed on how the 208 Plan worked, who oversees the project, benefits of joining and support from the County Administrator and CPZ. Administrator Gau explained his role in the planning process and his ability to work with the other communities in the 208 Plan. Mr. Bootz stated he planned to discuss this matter with the County's Director Rebecca Frisch.

Mr. Bootz made a motion to make formal request to join the County's WQMTAC, pay the membership fee and approve Administrator Gau as the CBA's representative. Motion seconded by Mr. Weisenberger. Motion carried.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Vierbicher's proposal to take Brokaw's water tower off line

Administrator Gau reported on his discussion with Vierbicher regarding PSC's recommendation to take Brokaw's water tower off line.

Administrator Gau reported that he met with Wausau Water Works on January 31, 2017 regarding pump adjustments if the tower is take off line and they were very helpful.

Administrator Gau also reported that he talked to the local Army Reserve staffers on fire protection options. He recommended tabling this item until research is completed.

LBG Proposal for developing a new well site in Village of Maine

Administrator Gau reported that he was able to obtain a copy of the well site study that Beecher Hoppe completed for Wausau Papers in 1992. Administrator Gau also reported that he requested that LBG provide a proposal for a well study at the well site location that Beecher Hoppe completed a study on in 1992. He explained that John Jenson was Beecher Hoppe's project manager in 1992 and now works for LBG. Administrator Gau stated he reviewed from Layne's September 2016 proposal and there is a significant difference between the two companies. This item was tabled because Administrator Gau will need to work with Vierbicher to ensure that both proposals are providing equal services.

Brokaw's request for funds from Maine and Texas

Administrator Gau reported that on October 25, 2016 Attorney Dietrich wrote a memorandum to Attorney Frokjer and Attorney VanderWaal requesting funds for Brokaw's 2016 and 2017 financial assistance. Texas paid \$40,000.00, however Maine requested additional information on what the funds would be used for. Maine did not receive the information requested in time for it to be presented to Maine's Board for approval. Administrator Gau explained that on February 7, 2017 Attorney Dietrich adjusted the original memorandum to reflect the taxes collected by Brokaw.

Administrator Gau recommended that the adjusted financial assistance memorandum be forwarded to Maine for consideration.

Chair Hoenisch suggested that the Village of Brokaw use their tax collection funds to pay any outstanding 2016 bills and 2017 bills until their funds are depleted. By the time Brokaw needs money to remain solvent we will have the accounting in good order and we will be able to determine the exact amount needed to pay Brokaw's bills. She went on to explain that because the Town of Texas had paid \$40,000.00 in December 2016, Maine should reimburse the Town of Texas \$20,000.00 so we have equal amounts invested.

Attorney Frokjer stated that the \$20,000.00 reimbursement item should be placed on the Village of Maine's February Board meeting agenda. Mr. Bootz asked Clerk Beyersdorff to also place the item on the Town of Texas February Board agenda for discussion, so the matter is documented in the minutes. This item was tabled.

Cooperative Boundary Oversight Commission meeting - Thursday, February 9, 2017

Quarles & Brady invoices and payment process

Administrator Gau reported that the Village of Brokaw has received bills from Quarles & Brady legal firm. Brokaw paid the first invoice and recently received the second invoice. Brokaw believes that the CBA states that Brokaw, Maine and Texas would each pay one third of the bills. Administrator Gau read the two recommendations he had prepared.

Discussion followed on the possible litigation by People's Bank regarding Brokaw's loans. It was determined that it was best for Brokaw to pay the invoices because Quarles and Brady are their legal counsel for the matter.

Mr. Bootz made a motion to approve the recommendation that Brokaw pay the Quarles & Brady bills and request that Maine and Texas reimburse Brokaw for one third of the cost. Motion was seconded by Mr. Weisenberger. Motion carried.

Items that need to be placed on future agendas

Administrator Gau stated he would work with Chair Hoenisch on OSC agenda items.

Schedule next CBA Oversight Commission meeting

Discussion followed on the date, time and place to hold the next meeting. It was determined that the next meeting would be held on March 2, 2017 at the Town of Texas Municipal Center at 6:30 p.m.

Adjournment

Chairman Hoenisch called for a motion to adjourn.

Mr. Bootz made a motion to adjourn at 8:47 p.m., seconded by Mr. Weisenberger. Motion carried.

Respectfully submitted,
Betty Hoenisch,
CBA OSC Chairperson

Agenda and notice of this meeting was posted on February 8, 2017 at:

Village of Brokaw Village Hall - Brokaw Credit Union – Brokaw Post Office - www.villageofbrokaw.com by: Brenda Weisenberger, Deputy Clerk

Village of Maine Municipal Center - Red Granit Bar & Grill - Richard's Restaurant & Bar - Schmidt's Bar- www.villageofmaine.org by: Cindy Bailey, Village Clerk

Town of Texas Municipal Center - Brokaw Corners Tavern - www.townoftexas.com by: Lorraine Beyersdorff, Town Clerk