



Town of Superior

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Chair: Sheila Keup
Supervisor: Janet Dalbec
Supervisor: Bob "Zimm" Zimmerman
Clerk: Patrice Stalvig
Treasurer: Cindy Theien

MINUTES OF THE TOWN BOARD OF SUPERVISORS MEETING Wednesday, February 10, 2016

Meeting called to order by Chairman Keup at 6:58 PM.

The Pledge of Allegiance was recited and Compliance with the Open Meeting Law was met with postings at Vine Body Shop, Superior Meats, Bartley's, Four Corners Store, the Town Hall and the website. Present: Chairman Keup, Supervisors Dalbec and Zimmerman, and Clerk Stalvig. Treasurer Theien excused.

Keup motioned and Dalbec seconded to accept the minutes of the January 13, 2016 meeting. Motion passed unanimously.

Dalbec motioned and Keup seconded to approve the bills paid under Alternative Claims Procedure. Vouchers presented for payment were processed with check numbers 4331 through 4363 and four electronic payments. Motion passed unanimously. Dalbec motioned and Keup seconded to pay the pre-approved bills viewed prior to the meeting. Vouchers presented for payment were processed with check numbers 4364 through 4379. Motion passed unanimously.

Fire Department Report

Report was moved on the agenda to be heard after the Chairman's report due to delayed arrival of Chief. Previous reports were for dates falling between board meetings. Responses will now be reported for the previous calendar month. Chief Fiegle reported a new record of responses in January 2016 with 16 responses in the Town of Superior and seven in the Village of Oliver. Mutual aid was received from Oakland and Parkland. BNSF has paid for two members to attend four days of training for rail car emergencies with emphasis on crude oil. Fire prevention inspections for 2015 are complete. Reminder of the Snow Shoe races at Anna Gene Park on February 21st. This month's prevention message is to prevent falls by removing trip hazards such as throw rugs, place handles in bathrooms, and no slip pads on entry ways. Sand and salt walkways and improving lighting. A copy of the report is on file with the clerk.

Treasurer Report

Clerk Stalvig reported the beginning balance for ^{January} ~~December~~, excluding fire department accounts, was \$744,865.68. Receipts of \$1,160,987.82 and disbursements of \$638,414.89 left a month-end balance of \$1,267,535.11. Vouchers presented for payment in ^{January} ~~December~~ were processed with check numbers 4286 through ⁴⁴³⁴ ~~4434~~ and five electronic transfers. Fire Department Accounts showed a month-end balance of \$54,229.13. A copy of the report is on file with the clerk. Treasurer Theien provided an email with findings of her research into cash vs. accrual accounting for the town, and recommends staying with the cash-based accounting. A copy of the report is on file with the clerk.

Plan Commission Report

Janet Dalbec reported that the Plan Commission met in January and recommended approval of the conditional use permit for Udeen Trucking. They also discussed issues relating to solid waste and blighted areas. An ordinance was brought to the board previously and died. It will be added to the March agenda.

Stony Brook Committee Report

Patti Stalvig reported that a representative from UW-Extension, Jane Anklam, attended the meeting and was impressed with how far we've progressed with the wetland delineation completed already. She will put us in contact with a

landscape architect. When asked by a resident about funding, Stalvig explained there is a budget line item of \$4,000 for Stony Brook, and any additional funds would come from fundraising, the use of the property, grants and donations.

Chairman Report

Chairman Keup reported ongoing road maintenance of plowing, sanding and pushing back snow banks. A few culverts were steamed. Keup reminded everyone of the winter maintenance policy indicating roads would be passable within 36 hours after a snowfall, unless it's an unusually large snowfall. Clearing out by mailboxes and replacing mailboxes are the responsibility of the owner. The policy indicates a minimum of four inches of snowfall must occur before plows are sent out. Unique situations, such as underlying ice, etc. may require adjustments. Resident Bill Britton asked Chair what process was used to fill Don Lamar's winter position with Pete Radzak. Chair will research and respond to Mr. Britton.

Correspondence

- a. Signed Fire Protection Agreement between Town of Superior and Village of Oliver, along with payment of \$8391.42, has been received.
- b. Signed Joint Powers Agreement for the Douglas County 911 Emergency System for 2016 has been received.
- c. Email received from Division of Energy, Housing, and Community Resources (DEHCR/Division) informing the town of a draft Substantial Amendment to the State's 2015-2019 Consolidated Plan. Public comment period is open through February 22nd. View the plan at http://doa.wi.gov/Documents/DOH/Consolidated_Plan/2015_2019/2015_2019_Consolidated_Plan_Substantial_Amendment_1.pdf
- d. Letter received from Douglas County Zoning requiring D L Skiing to apply for an after-the-fact permit for cabins constructed without a land use permit, and for any cabins to be constructed within the next two years. Septic designer is also required to provide the county with a letter stating the existing and proposed camping cabins won't exceed the current capacity of the permitted system.

Old Business

- a. Clerk reported Kolob Industries will warranty their fire signs against defects for 10 years, and the reflectivity is warranted at 80% for years 1-7 and 70% for years 8-15. Dalbec motioned and Keup seconded to purchase the fire identification signs from Kolob Industries at the price they previously quoted as soon as possible. Motion unanimously approved. Fire address numbers and correct road names will be to the clerk by March 1st. Garage staff and Fire Chief will work to ensure driveways with more than one address will have new signs posted at intersection of road and driveway, and old signs remain at residence location.
- b. Keup reviewed the Wisconsin Deferred Compensation Program and determined there is no harm and little-to-no expense for offering this program. It's simply another option for retirement funds. Keup motioned and Zimmerman seconded to open the offer to any employees who may be interested in participating. Motion unanimously approved.
- c. Regarding the kitchen remodel, Benson Cabinets was contacted to provide an estimate on counters in order to help set a budget. Zimmerman asked if we could have a kitchen design reviewed for functionality. Resident Dale Johnson reported that Upper Lakes Food has a design engineer on staff we could contact and Mr. Johnson would be willing to meet with the engineer and Keup.
- d. Clerk reported that last month's vote on the ordinance for the stop sign on Lindberg Road should have been by roll call vote. Keup motioned and Zimmerman seconded to approve the ordinance to authorize the stop sign on Lindberg Road. Zimmerman, Dalbec, and Keup all in favor. No opposed voted. Motion unanimously approved.
- e. Zimmerman reported he researched with the WI DNR, the Wisconsin Towns Association, and an environmental consultant from Duluth regarding the property at 3048 S State Hwy 23, which is owned by four individuals (Vine, Tranholt, Ziburski, and Letourneau). Letourneau previously requested the town issue a raze order, the other three owners don't want the building razed and previously offered to buy out Letourneau. Currently, there is no risk to the town, but if a raze order is issued, it could leave the town responsible for \$10,000 to \$50,000, and a lien on property that is only valued at \$6900. After contacting the Wisconsin Towns Association for legal advice, it was recommended that we allow the county to address the issue if they choose, as they have the people and departments to do the job. If vandalism or breaking in is a concern, recommend the owners plywood the windows and/or doors, install no trespass signs and

possibly fencing, and keep road access open for law enforcement. Tranholt, who could not make the meeting, submitted an email expressing his understanding of the situation and that the raze order request does not reflect the wishes of the majority of the owners. Resident Dale Johnson asked whether the road is private or town road. Keup will check into that. Zimmerman motioned and Keup seconded for the town to NOT issue a raze order for the property. Motion carried.

- f. Resolution to adopt posting locations for legal notices was tabled until March to review a possible update of the website first.
- g. Dalbec researched options for the sand pit on dump road and brought the following to the meeting: 1) do nothing; 2) let electors determine at annual meeting if they want to sell; 3) lease land to contractor; or 4) sell the sand only. Keup motioned and Zimmerman seconded to bring it to voters to determine whether to sell the sand pit on Dump Road. Motion unanimously approved.
- h. Board members reviewed parts of the Hazard Mitigation Plan and informed public that anyone can go to the public hearings. Public comment period ends February 22. The link will be posted on the town website.
- i. Since the annual meeting is only two months away, the board will not take action on whether to hire a dog catcher, but will let the voters determine if they want a constable position.

New Business

- a. Creating a fair and consistent policy for full or partial waiver requests of hall rental fees will be put on the agenda for March. Keup motioned and Dalbec seconded to approve the Pony Express 4-H request for waiver of hall rental fee for 2/28/16. Motion unanimously approved.
- b. Keup motioned and Dalbec seconded to approve the waiver of hall rental fee for 2/23/16 banquet. Waiver requested by Cub Scout Troop 229. Motion unanimously approved.
- c. Zimmerman motioned and Dalbec seconded to move the town website to WordPress. This action would make the website instantly mobile friendly and could allow it to be ADA compliant for people who use brail or text to speech. The change would also allow the content to be directly controlled by the municipality, which is recommended before changing to one physical location and the website for postings. Motion unanimously approved.
- d. Resident Mike Witthoft stated he and his wife own two houses in the Town of Superior and reside in both houses. Previously he's only had garbage/recycle pickup, and payment for same, at one dwelling. Recently, he was informed by the clerk that this should be at both dwellings, and he's requesting it be for only one dwelling. Keup indicated the current ordinance states every dwelling needs to use the contracted services. The ordinance is being reviewed in March.
- e. Keup motioned and Zimmerman seconded to approve Enbridge's request for permitting across unimproved road crossings in Kimmes First Division, Kimmes Third Division, and Sylvan Grove Addition plats. Zimmerman recommended taking photos of current condition to ensure they are returned to current condition. Motion unanimously approved.
- f. Keup motioned and Dalbec seconded to approve the renewal of conditional use permit for non-metallic mine operated by Udeen Trucking. Motion amended to include the Town of Superior conditions dated 3/31/10. Zimmerman questioned the change from a 3-year renewal last time to a five-year renewal this time. Motion carried.
- g. Keup motioned and Zimmerman seconded to continue using Johanna Kirk for attorney representation for 2016. Motion unanimously approved.

OTHER INFORMATION OF PUBLIC INTEREST

- a. The town has received reports of plastic bags flying out of garbage/recycle trucks. Retail plastic bags do not belong in garbage or recycle bins. Local drop-off locations include Wal-Mart and Super One.

There being no further business, meeting was adjourned at 8:55 pm.

Respectfully submitted by Patrice Stalvig, Clerk

DRAFT MINUTES 02-16-16

MINUTES APPROVED ON THIS 9 DAY OF March, 2016

CHAIR SIGNATURE [Signature]

CLERK SIGNATURE [Signature]