

**MAPLE CREEK TOWN BOARD MEETING
TOWN HALL W10388 COUNTY ROAD W
JANUARY 11, 2021 6:30 PM**

Call to order and Pledge of Allegiance

Chairman Korth called the January 11, 2021 Maple Creek Town Board Budget meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

Verify open meeting notices, roll call, approval of agenda order (stands as is unless motion for change)

The agenda for these minutes was posted at the three Town posting boards on Friday, January 8, 2021.

Elected Officers present: Dalton Korth, Mike Bruette, Jim Young and Tory Much.

Appointed Officer present: Lynette Gitter

Others present: Eric Korth, Steve Janke, Debra Radmer, Mike Siewert, Gary Coroneos, Susan Griffin, JJ Hintzke and John Knapp.

Approval of December 14, 2020 Town Board meeting minutes.

Young made a motion, seconded by Bruette, to approve the December 14, 2020 Town Board meeting minutes. All Ayes. MOTION CARRIED.

Treasurer's Monthly Report;

A. Monthly Report—The balances for all accounts as of December 31, 2020, are as follows: Checking - \$2,915.32; Investment Savings - \$461,431.56; and Town CD's - \$130,821.84. Total town funds - \$595,168.72. Stands as read subject to an audit with the clerk.

B. Treasurer-Quicken Renewal—The treasurer uses Quicken software for her bookkeeping. The renewal will be \$54.85 for the year.

C. Lockbox Renewal—The renewal rates for the two lock boxes at the bank are \$70.20 each for a total of \$140.40 for the year.

D. Website Renewal—Do we want to continue with our current website? The cost is \$161.87 for 1 year, \$323.74 for 2 years and \$485.61 for 3 years. After discussion, Young made a motion, seconded by Korth, to approve renewing the town website for another year at \$161.87. All Ayes. MOTION CARRIED.

Outagamie County Sheriff's officer report (if in attendance)

None

Public Input: Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present matters for Town Board consideration, however, they cannot be discussed or acted upon until the subject matter, of the proposed action, has been noticed.

None

Specific matters for discussion and possible action:

A. Eric Korth running for NL School Board

Eric Korth addressed those in attendance. He's running for New London SD School Board and will be on the ballot April 6th. He is a business owner and would like to see more emphasis on Technology and Skilled Labor (trades) education. As a business owner, he sees a disconnect with those graduating and not having the skills to fill these (trades) jobs. Also, he would like to see the school forest (known as Poppy's Rock) to remain with the school district and not sold.

B. Changes to Minimum Lot Size Ordinance-New Information from Lawyer-Ordinance No. 2021-1

The clerk emailed the town lawyer for more information on the right-of-way issue in the ordinance. This is his response: "You have asked whether a Town road right-of-way should or could be included in the calculation for a two acre minimum lot size. The answer is no. Under Wisconsin law "highway" includes all "public ways." That means that there is no legal distinction between a public "street," public "highway," or public "road." They are all subject to the

same rules of the road. The right-of-way for a public road is not part of a parcel. It delineates the legal boundary of the parcel. Public control of the right-of-way is virtually absolute. The landowner's only right with regard to the right-of-way is reasonable access. Some older land descriptions refer to exceptions or reservations for road purposes. This does not diminish public control of the right-of-way. A public right-of-way across a property legally divides that property into two separate parcels on either side of the road. Certified survey maps should not include any portion of a right of way as part of the parcel."

Chairman Korth said that the Town's Association lawyer said that it can be included. Why did they say that? He said that in a conversation with the Attorney Carlson, Carlson told him that he cornered him and then he said it can be included, but it would be harder for the surveyors because of the title search process. So, to stay out of the right-of-way, Chairman Korth would like the acreage changed to one and three-quarter (1 $\frac{3}{4}$) acres. After discussion, Supervisor Young would like to see a letter from Attorney Carlson saying that this is legal. *Bruette made a motion, seconded by Korth, to approve Ordinance #2021-1 changing the Minimum Lot Size to 150 foot of public road frontage and the minimum acreage to 1 $\frac{3}{4}$ acres. Two (2) Ayes (Korth, Bruette), One (1) Nay (Young), MOTION CARRIED.* The clerk is required to post and publish this ordinance in order for it to be in effect.

C. Approve CSM for Mike Siewert; Rezone from Ex Ag to General Ag of approximately .5 acres.

Gary Coroneos stated that the Plan Commission reviewed this rezone and decided that it is consistent with the town plan, and they recommend approval. The CSM is all of tax parcel nos. 160030600 and 160030500 and is owned by the Siewert Family Irrevocable Trust and Sugar Creek Farm, LLC. Since Mike Bruette is the owner of Sugar Creek Farm, he abstained from discussion. The clerk stated we needed a motion to approve the rezone of approximately .5 acres from Exclusive Ag to General Ag, and that we needed a motion to approve the Certified Survey Map as submitted. *Korth made a motion, seconded by Young, to approve the land division by CSM for Mike Siewert as submitted. Two (2) Ayes (Korth, Young), One (1) Abstain (Bruette), MOTION CARRIED. Korth made a motion, seconded by Young, to approve rezone of approximately .5 acres from Exclusive Ag to General Ag for Mike Siewert as submitted. Two (2) Ayes (Korth, Young), One (1) Abstain (Bruette), MOTION CARRIED.*

D. Mike Miller-Building Inspector

- **Develop/Review Contract**

The board agreed with the contract as drawn up by the clerk and Mike Miller also agrees with it. However, Chairman Korth would like to see something in the text to require notification from the inspector before he issues the permit. The clerk will contact Mr. Miller for suggestions.

E. Town Hall ramp snow shoveling

Supervisor Young will keep the ramp shoveled.

F. Roads:

- **Snowplowing**

There were complaints about the snowplowing. One person had their mailbox knocked down twice and they failed to plow Young and Affeldt roads. Chairman Korth will contact Chad from the County Highway department to express the concerns.

- **Request for projects-Greenway Fund**

Outagamie County is seeking applications for community projects focused on greenway development. For 2021, approximately \$50,000 is available, and awards will fund up to 25% of the project. After discussion, the board is not interested.

G. Plan Commission meeting review

- PC Chairman Gary Coroneos reported that JJ Hintzke was present at their meeting. The Hintzke's are now looking to rezone 2 separate parcels of 2 acres each, from Exclusive Ag to General Ag, so a house could be built on one parcel and a garage could be put on the other parcel.
- Jim Rohan was present to get information about possibly getting a variance to create a separate parcel behind his son's house on County Road D. His son has 314 feet road frontage. He would take 80 feet from his son's frontage to add to his 20 foot frontage for a total of 100 feet of road frontage. He has a total of 130 acres behind his son's house. The Plan Commission referred him to the County to see if he would have to rezone any of that acreage. Mr. Rohan is just doing research right now.
- The Siewert rezone was handled earlier.
- The Plan Commission also worked on updating the Town's plan with the help of the zoning office. The next meeting is March 6th at 6pm.

8) Report of officers:

Clerk—

There is a Spring Primary Election February 16th for State School Superintendent, and for Shiocton residents, to include the referendum question.

Shiocton SD Ballot question—The SD of Shiocton has a yes/no referendum question on the February ballot for school funds.

Drawing for ballot placement results—The clerk, along with two inspectors, drew lots for name placement on the ballot for the April 6th Election. For Chairperson, the order will be Susan Griffin then Dalton Korth. For Supervisor, the order will be, John Knapp, James Young and Mike Bruette. The other races for the town officials only have one person running so no drawing was necessary. The Constable race has no one running.

Raft—none

Plan Commission—agenda item

Constable—nothing

Building Inspector—agenda item D

Cemetery Commission—nothing

Public Input: Pursuant to WI Statutes 19.83(2) and 19.84(2), the public may present matters for Town Board consideration, however, they cannot be discussed or acted upon until the subject matter, of the proposed action, has been noticed.

None

Complaints and/or Correspondence/No action taken

- Letter from County Dept. of Development & Land Services-Still working from home until at least March 31, 2021. For information, contact Hilary Pattermann at hilary.patterman@outagamie.org.
- Letter from Recycling & Solid Waste and newsletter-For electronics recycling, sharps/needle disposal, compost bins, furniture, mattresses/box springs, etc. please contact the recycling center at 832-5277 or Marissa.Michalkiewicz@outagamie.org or 920-968-5721.
- Letter from County Sheriff-Starting in January, County Sheriff Deputy’s will again attend town board meetings.
- 2021 Final Transportation Aids-\$57,710.88

Review and payment of vouchers

Vouchers for checks numbering 11559 to 11588 were submitted for review and payment. Additional payments will be made by direct debit from checking for the January IRS withholding tax.

Future Agenda Items: Discussion/Action?

Mike Miller, building inspector contract

Adjournment/Calendar: Next Town Board meeting, February 8, 2021; Spring Primary February 16, 2021.

Young made a motion, seconded by Bruette, to adjourn at 7:50 p.m. All Ayes. MOTION CARRIED.

These minutes were taken at a meeting of the Town of Maple Creek Board held on the 11th day of January 2021,

And were entered in this record book by: _____, Clerk Gitter

And were approved this 8th day of February 2021 by:

_____, Chairman Korth

_____, Supervisor Bruette

_____, Supervisor Young