TOWN OF SHERMAN BOARD OF SUPERVISORS
OFFICIAL PROCEEDINGS OF THE PUBLIC HEARING
Silver Creek Fire Department/Town of Sherman Office
W6566 State Highway 144
Tuesday, June 4, 2024 7:00 pm

NOTICE IS HEREBY GIVEN that the Town of Sherman Board of Supervisors will hear comments on the following recommendations from the Plan Commission:

- Request for FPZ Conditional Use Permit as submitted by Haley Miller and Justin Lunde, W5503 Abbott Drive, Random Lake for the construction of a single-family home in the Farmland Preservation District, and
- Request from Todd Sprinkmann, N1347 Lynn Road, Adell for a 2-lot CSM and rezone of 18.085 acres or Parcel #59028424281, originally 39.28 acres zoned A-1: Lot 1 to consist of 18.085 acres to be rezoned to A-2 and Outlot to consist of remaining 21.192 acres, 20 acres to remain zoned A-1, and 1.192 acres to be rezoned to A-1-PR.

Chair Goehring opened the public hearing at 7:00 pm. No comments were heard on either request.

Chair Goehring closed the hearing at 7:03 pm.

TOWN OF SHERMAN BOARD OF SUPERVISORS
OFFICIAL PROCEEDINGS OF THE MONTHLY MEETING
Silver Creek Fire Department/Town of Sherman Office
W6566 State Highway 144
Tuesday, June 4,, 2024 Immediately following Public Hearing

1. **CALL TO ORDER**: Town Chairman William Goehring called to order the Board of Supervisors Monthly Meeting at 7:03 pm at the Silver Creek Fire Department. The meeting was held in compliance with the open meeting law having been posted on the town website and the Silver Creek Fire Department. Some items may have been taken out of agenda order as announced at the start of the meeting.

2. **PLEDGE OF ALLEGIANCE:** Chair Goehring led the attendees in the Pledge of Allegiance.

3. **ROLL CALL**:
   Members Present: Town Chairman William Goehring; Town Supervisors Shawn Kultgen, Kris Klein, Howard Mitchell and Pat Horne
   Members Absent: none
   Others Present: Residents Todd Sprinkmann, Seila Enzenauer, Haley Miller, Justin Lunde, Building Inspector Walt Grotelueschen, Business owner Armando Gonzales (with interpreter, Edward) and Clerk/Treasurer Rhonda Klatt

4. **APPROVAL OF MINUTES**: **Motion by Mitchell, seconded by Horne, all voting in favor to approve the minutes from the May 6, 2024 meeting,** motion carries.

5. **APPROVAL OF FINANCIAL REPORT**: **Motion by Mitchell, seconded by Klein, all voting in favor to approve the financial report as presented,** motion carries.

| Bank Balances, as of 5/28/2024 | | |
|---|---|---|
| General Checking | $ | 444,245.16 |
| Tax & Dogs | $ | 25,583.82 |
| LGIP #1, Capital Improvements | $ | 37,060.32 |

| | | |
|---|---|---|
| LGIP #2, Tax Collections | $ | 34,538.22 |
| LGIP #3, Union Cemetery | $ | 3,616.71 |
| LGIP #4, Revaluation | $ | 34,335.69 |
| LGIP #5, Road Construction | $ | 453,232.91 |
| LGIP #6, Road Maintenance | $ | 173,038.29 |
| LGIP #7, Parks & Open Spaces | $ | 13,895.06 |

6. **APPROVAL OF PAYMENT OF BILLS**: **Motion by Horne, seconded by Mitchell, all voting in favor to approve the payment of bills as presented,** motion carries.

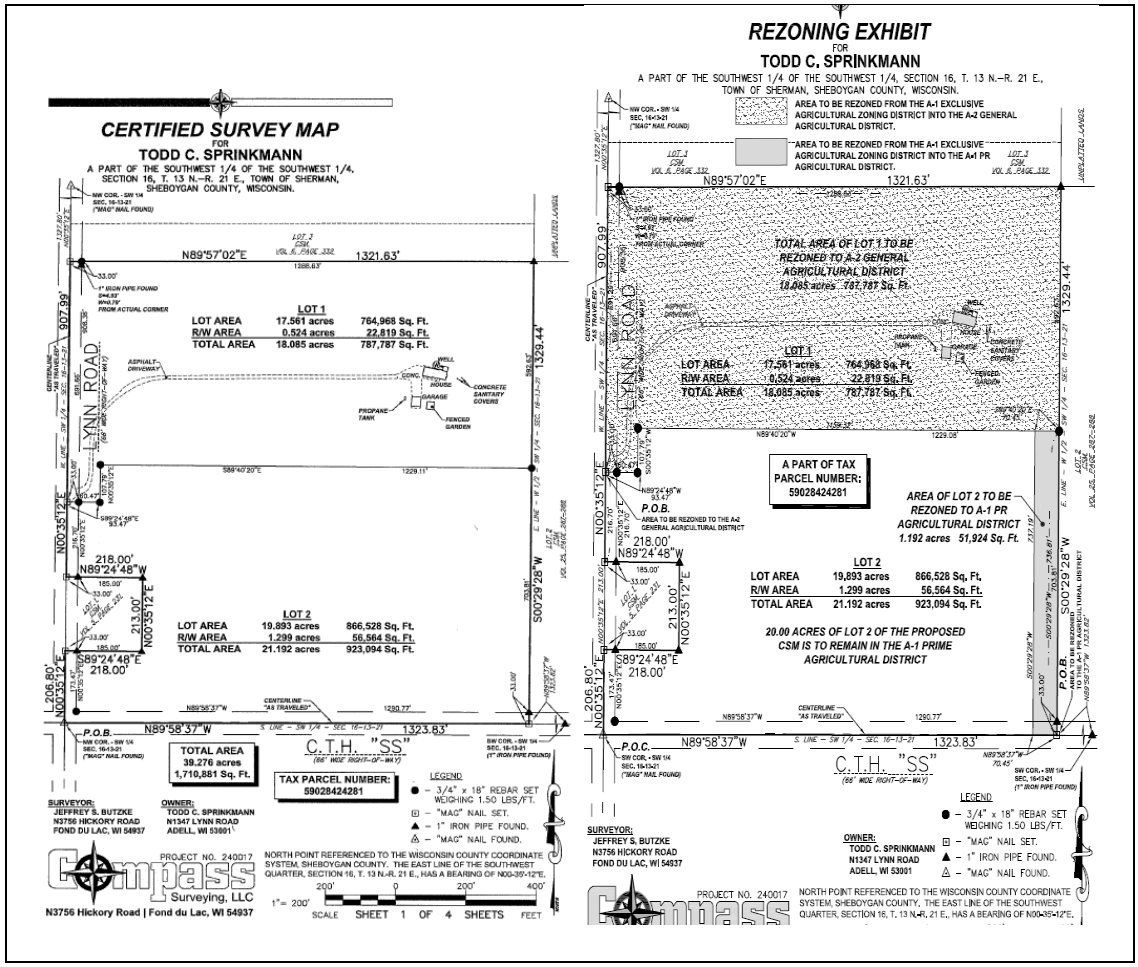
| Date | Num | Name | Memo | Paid Amount |
|---|---|---|---|---|
| 06/04/2024 | 8055 | Howard C Mitchell | Payroll | -230.87 |
| 06/04/2024 | 8056 | Janelle J Kaiser | Payroll | -526.25 |
| 06/04/2024 | 8057 | Kristian Klein | Payroll | -215.48 |
| 06/04/2024 | 8058 | Patricia Horne | Payroll | -215.48 |
| 06/04/2024 | 8059 | Rhonda J Klatt | Payroll | -2,713.57 |
| 06/04/2024 | 8060 | Shawn R Kultgen | Payroll | -230.87 |
| 06/04/2024 | 8061 | William C Goehring | Payroll | -430.97 |
| 06/03/2024 | 8062 | Corson, Peterson & Hamann S.C. | Preparation of Annual Form CT | -500.00 |
| 06/03/2024 | 8063 | Nat. Exchange Bank & Trust (Credit Card) | Postage | -340.00 |
| 06/03/2024 | 8064 | Port Publications, Inc. | Clerk/Treas Notice | -175.00 |
| 06/03/2024 | 8065 | Sheboygan County Treasurer | Signage, snow, Election Expenses | -5,263.99 |
| 06/03/2024 | 8066 | Sheboygan County Unit WTA | Annual Dues | -25.00 |
| 06/03/2024 | 8067 | Skrips Marketing, Inc. | (2) Standard Orange Spin Alerts | -134.23 |
| 06/03/2024 | 8068 | The Sounder | Rezone, CUP, Liquor License notices | -163.68 |
| 06/03/2024 | 8069 | Town Web Design, Inc. | Deputy email with archiving | -216.00 |
| 06/03/2024 | 8070 | Wisconsin Towns Association | 2024-2025 WTA Membership Dues | -1,225.00 |
| | | | Total 11010-00 Gen Checking - NEBT | -12,606.39 |

7. **PUBLIC INPUT**: No comments were heard.

8. **BUILDING INSPECTOR REPORT**: **Motion by Horne, seconded by Kultgen, all voting in favor of approving the permits as presented,** motion carries.

| | | | |
|---|---|---|---|
| 05-24-01 | Blake & Tessa Schueller | N1739 Silver Creek Cascade Rd | Deck |
| 05-24-02 | Sheila Enzenauer | W4864 S CTH A | Zoning (placement of storage pod) |
| 05-247-03 | Janet Jentsch | N1502 CTH I | HVAC |

9. **NEW BUSINESS:**
   a. Request for FPZ Conditional Use Permit as submitted by Haley Miller and Justin Lunde, W5503 Abbott Drive, Random Lake for the construction of a single-family home in the Farmland Preservation District: **Motion by Horne, seconded by Mitchell, all voting in favor of approving the FPZ Conditional Use Permit as submitted by Haley Miller and Justin Lunde,** motion carries.
   b. Request from Todd Sprinkmann, N1347 Lynn Road, Adell for a 2-lot CSM and rezone of 18.085 acres of Parcel #59028424281, originally 39.28 acres zoned A-1: **Motion by Klein, seconded by Kultgen, all voting in favor of approving a 2-lot CSM and rezone of 18.085 acres from A-1 to A-2, and 1.192 acres from A-1 to A-1-PR,** motion carries. (CSM on next page.)




c. ROW Applications, as submitted by WE Energies: **Motion by Klein, seconded by Kultgen, all voting in favor of approving three ROW applications as submitted by WE Energies,** motion carries. (1) Permit #2024-06A, install SVR, intersection of Edgewood Avenue and STH 57, (2) Permit #2024-06B, replace load break with SVS 1 pole install/replace, intersection of Abbott Drive and CTH I, and (3) Permit #20247-06C, 1 pole install/replacement, install SVR, intersection of Edgewood Avenue and STH 57.

d. Resolution #2024-02, entitled Resolution Providing for the Sale of Approximately $966,000 General Obligation Promissory Notes: **Motion by Klein, seconded by Horne, all voting in favor of approving Resolution #2024-02 Providing for the Sale of Approximately $966,000 General Obligation Promissory Notes,** motion carries by roll call vote: voting aye – Chair Goehring, Supervisors Mitchell, Horne, Kultgen, Klein, voting nay – none, and abstain. *See next page for resolution.* **Motion by Mitchell, seconded by Horne, all voting in favor of approving a referred amortization period of ten (10) years, with final payment in 2034,** motion carries.

Excerpts of Minutes of Meeting of the
Town Board of the Town of Sherman

A meeting of the Town Board of the Town of Sherman, Sheboygan County, Wisconsin, was duly called, noticed, held and conducted in the manner required by the Town Board and the pertinent Wisconsin Statutes on June 4, 2024. The Chairperson called the meeting to order at 7:00 pm.

The following members were present: Chair William C. Goehring, Supervisors Howard Mitchell, Patricia Horne, Shawn Kultgen and Kris Klein
The following members were absent: None
(Here occurred other business.)
The following resolution was then moved by Supervisor Klein and seconded by Supervisor Horne:

RESOLUTION NO. 2024-02

RESOLUTION PROVIDING FOR
THE SALE OF APPROXIMATELY $966,000
GENERAL OBLIGATION PROMISSORY NOTES

(A true copy of the resolution as adopted is attached hereto and incorporated herein by reference.)
Upon the vote being taken, the following voted
Aye: Chair William C. Goehring, Supervisors Howard Mitchell, Patricia Horne, Shawn Kultgen and Kris Klein
Nay: None
Abstaining: None
and the resolution was declared adopted.
(Here occurred other business.)
Upon motion made and seconded, the Town Board adjourned.

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Certification of Minutes Excerpt

I, Rhonda Klatt, am the duly qualified and acting Town Clerk/Treasurer of the Town of Sherman, Wisconsin. I hereby certify that the foregoing is a true and correct excerpt of the official minutes of the Town Board meeting of June 4, 2024.

I further certify that the attached is a true and correct copy of the resolution adopted by the Town Board at such meeting.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on June 4, 2024.

(Seal) TOWN OF SHERMAN, SHEBOYGAN COUNTY OFFICIAL SEAL EST. 1865 WISCONSIN

Rhonda Klatt
Town Clerk/Treasurer

QB\90125914.1

Resolution No. 2024-02

RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY
$966,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Town of Sherman, Sheboygan County, Wisconsin (the "Town") is presently in need of approximately $966,000 for public purposes, including paying the cost of street improvement projects (the "Project"); and

WHEREAS, it is desirable to borrow said funds through the issuance of general obligation promissory notes pursuant to Section 67.12(12), Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town that:

Section 1. Issuance of the Notes. The Town shall issue its General Obligation Promissory Notes in an amount of approximately $966,000 (the "Notes") for the purpose of paying the cost of the Project.

Section 2. Solicitation for Sale of Notes. The Town Board hereby authorizes and directs the officers of the Town and Robert W. Baird & Co. Incorporated ("Baird") to take all actions necessary to solicit proposals from potential purchasers of the Notes. At a subsequent meeting, the Town Board shall take further action to approve the details of the Notes and authorize the sale of the Notes.

Section 3. Term Sheet. The Town Clerk shall cause a Term Sheet concerning this issue to be prepared by Baird. The appropriate Town officials shall certify said Term Sheet, such certification to constitute full authorization of the Term Sheet under this Resolution.

Section 4. Reimbursement. The Town Board hereby officially declares its intent pursuant to Treasury Regulation Section 1.150-2 to reimburse any expenditures made in connection with the Project prior to the issuance of the Notes with the proceeds of the Notes in an amount not to exceed $966,000.

Adopted, approved and recorded June 4, 2024.

William Goehring
Chairperson

ATTEST:

Rhonda Klatt
Town Clerk

(SEAL)

**CERTIFICATE OF COMPLIANCE WITH**
**OPEN MEETING LAW PUBLIC NOTICE REQUIREMENTS**

I, Rhonda J. Klatt, Clerk/Treasurer of the Town of Sherman, hereby certify that: hereby certify that:

1. **Meeting Date**. On the 4th day of June, 2024, a Town Board meeting was held commencing at seven o'clock p.m. at W6566 STH 144, Random Lake, WI, specifically the Silver Creek Fire Department and Sherman Town Office building.

2. **Posting**. On the 29th day of May, 2024 at approximately four o'clock p.m., I posted or caused to be posted a notice setting forth the time, date, place and subject matter (including specific reference to the borrowing) of said meeting in the following public places:

   Municipal Website (www.shermanshebcowi.gov)
   Silver Creek Fire Department and Sherman Town Office building
   National Exchange Bank and Trust, Adell location
   Adell Mini Mart

3. **Notification of Media**. On the 29th day of May, 2024 at approximately four o'clock p.m., I communicated or caused to be communicated, the time, date, place and subject matter (including specific reference to the borrowing) of said meeting to those news media who have filed a written request for such notice, and to the official newspaper of the Town of Sherman.

4. **Open Meeting Law Compliance**. Said meeting was a regular monthly meeting of the Town Board which was called, noticed, held and conducted in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and State statutes.

Name:
Title: Clerk/Treasurer

Attest:

Name:
Title: Town Chair

TOWN OF SHERMAN, SHEBOYGAN COUNTY OFFICIAL SEAL EST. 1865 WISCONSIN

(SEAL)

e. Authorize Supervisor Mitchell to attend Random Lake School Board Meeting to present on ATV/UTV Compliance: **Motion by Klein, seconded by Horne, all voting in favor of authorizing Supervisor Mitchell to attend the June Random Lake School Board meeting to present on ATV/UTV compliance,** motion carries.

f. Zoning and Nuisance Ordinance violations: Consensus of the Board is they are satisfied, based on the neighbor's confirmation of action taken by Chau Vu, W6703 STH 144, the quail have been removed from the garage and the compost pile behind the garage is no longer there.
g. Broadband report: Nothing new to report at this time.
h. Continuation of Business Ordinance: Due to limited use of the fire department's retail liquor license use, it is a moot point to consider this type of ordinance. Consensus of the Board is to not pursue the idea further at this time, but to hang on to the research done to this point should they want to address it again at a later time.
i. Next regular meeting date: Tuesday, July 2, 2024

10. **TOWN CHAIRMAN REPORT:** Chair Goehring reported on the trust fund for the Lakeview Community Library, the six percent (6%) increase in 2024 in support, and possible three percent (3%) increase in future years.

11. **REPORTS OF OVERSIGHT SUPERVISORS:**
    a. Transfer Station: Supervisor Mitchell reported that site owner DeGroff has inquired about filling in the low lands to the cap on the Town's property. Consensus of the Board is that he should consult with the WI DNR to see if it's even possible before the Town will consider anything.
    b. Roads: Supervisor Klein reported that the grass mowing will be done by the fourth of July, the culvert crew has about ten, of the approximate twenty, culverts replaced now, and some ditching and tiling on Silver Creek Cascade Road, "Bruggink's Hill", needs to be done.
    c. Plan Commission: Nothing to report at this time.
    d. Park Board: Nothing to report at this time.

12. **CLERK'S COMMUNICATIONS:** Clerk/Treasurer Klatt spoke of the new Maintenance of Effort report that is required by the WI DOR, based on certifications of the fire and EMS departments.

13. **NEW BUSINESS (CONTINUED FROM #9):**
    a. Motion to convene into closed session Per Wis. Stats §19.85(1) and (1)(b): **Motion by Klein, seconded by Kultgen, all voting in favor of convening into closed session, with invitation to Clerk/Treasurer Klatt and Deputy Clerk/Treasurer Kaiser to stay,** motion carries by roll call vote: Goehring – Aye, Mitchell – Aye, Horne – Aye, Kultgen – Aye, Klein – Aye.
    b. Motion to reconvene into open session: **Motion by Kultgen, seconded by Klein, all voting in favor to reconvene into open session,** motion carries by roll call vote: Goehring – Aye, Mitchell – Aye, Horne – Aye, Kultgen – Aye, Klein – Aye.

14. **LIQUOR LICENSE APPLICATIONS**:
    a. **Motion by Klein, seconded by Horne, all voting in favor of approving a "Class B" Combination Retail Liquor License as applied for by (1) Oscar Steinbauer, LLC, dba Oscar's Auto Sales, (2) Silver Creek Vol. Fire Department, and (3) Brian Schmidt, dba Leonard's Silver Creek Inn,** motion carries.
    b. Consensus of the Board is to not approve application from Armando Gonzales, Diego's Mexican Restaurant & Cantina, LLC at this time based on possible legal challenges with the premise description as applied for. Gonzales was told that his application could be considered at the July Town Board monthly meeting, and after June 30, 2024, he will not be legal to sell or serve alcohol until a new license has been granted and issued.
    c. **Motion by Motion by Klein, seconded by Horne, all voting in favor of approving a "Class B" Combination Retail Liquor License as applied for by Roberto Torres, La Escondido Bar, LLC,** motion carries.

d. **Motion by Mitchell, seconded by Horne, all voting in favor of approving operator license applications as applied for by Oskar Steinbauer, Todd Stange, Valerie Stange, Anthony John Hurley, and Sara B. Vogel,** motion carries.

*Note: Current application from Diego's Mexican Restaurant & Cantina, LLC expires June 30, 2024, and any sales after that date are prohibited. Renewal license application from Lupita's Mexican Store (dba Fast Taco by Lupita's Mexican Store) for a "Class A" Combination retail was not received in time for this meeting, and will be considered at the July 2024 meeting. Lupita's Mexican Store's current license also expires June 30, 2024, and any sales after that date are prohibited.*

15. **ADJOURN**: **Motion by Klein, seconded by Kultgen, all voting in favor to adjourn.** Motion carried. Time: 8:47 pm